

Delmer J. Pascoe
Joseph W. Peabody, Jr.
Donald J. Perry
James L. Pollock, Jr.
Jarvis H. Post
Harvey O. Randel
William R. Raulston
Agile H. Redmon, Jr.
Don C. Rudeen
Richard B. Sarver
Lewis Schachne
John R. Shanahan
Thomas W. D. Smith
William A. Snyder
Henry A. Sparks

James A. Sylvester
Edward A. Thompson
Charles V. Treat
William C. Trier
Chester M. Trossman
Charles M. VanDuyne
Paul H. Visscher
Charles C. Wanna-maker
Raymond H. Watten
Martin G. Webb, Jr.
Elmer A. Weden, Jr.
Maurice B. Wehr
Charles W. Werner
Francis W. Westneat
Stanley E. Willis II

The following-named officers to the grades indicated in the Medical Corps of the Navy:

CAPTAIN

Raymond J. Mansfield

LIEUTENANT

Emmett P. Bryant

LIEUTENANTS (JUNIOR GRADE)

Edward J. Carry
Philip O. Geib

The following-named officers to the grades indicated in the Dental Corps of the Navy:

LIEUTENANT COMMANDERS

Byrnes E. Missman
Stephen A. Grady.

LIEUTENANTS

Frank L. Davis
Eymard LeR. Doyle
Walter G. Hillis

Joseph S. Hurka
Arthur H. Pearson
George A. Pfaffmann

The following-named officers to the grade indicated in the Medical Service Corps of the Navy:

LIEUTENANTS

Kenneth E. Bechtloff
Stanley W. Handford

The following-named officers to the grade indicated in the Nurse Corps of the Navy:

LIEUTENANTS (JUNIOR GRADE)

Muriel R. Cavey
Rose M. Martinsek

The following-named officers to the grade of lieutenant commander in the line of the Navy, limited duty only, in lieu of lieutenant in the line of the Navy, limited duty only, as previously nominated and confirmed:

Garland Casey
Harold J. Gilpin

Mathis S. Johnson
Carl H. Wehr

The following-named officers to the grade of lieutenant in the line of the Navy, limited duty only, in lieu of lieutenant (junior grade) in the line of the Navy, limited duty only, as previously nominated and confirmed:

Fred W. Berry
Leo R. Brown
John J. Butlak
Lloyd O. Butts
William J. Egan
Frank D. Gallagher

John R. Hatcher
Francis E. Law
William J. Miller
Carl W. Minniear
Claude E. Riley
Milton M. Routzahn

The following-named officers to the grade of lieutenant (junior grade) in the line of the Navy, limited duty only, in lieu of ensign in the line of the Navy, limited duty only, as previously nominated and confirmed:

Kenneth Brown
James V. Carney
Theodore F. Drag
John P. Dutton
Norman Huffnagle
Willard M. Iverson
Gordon E. Kaufman

Donald B. McOmie
Donald M. Murdoch
Marler W. Owen
Plynn J. Pullivan
Herbert E. Reynolds
Edmund L. Wells
Hall B. Wessinger

Charles F. Pape to be an ensign in the line of the Navy, limited duty only, in lieu of lieutenant (junior grade) in the line of the Navy, limited duty only, as previously nominated and confirmed.

James A. Gardiner to be a lieutenant commander in the Supply Corps of the Navy,

limited duty only, in lieu of lieutenant in the Supply Corps of the Navy, limited duty only, as previously nominated and confirmed.

The following-named officers to the grade of lieutenant (junior grade) in the Supply Corps of the Navy, limited duty only, in lieu of ensign in the Supply Corps of the Navy, limited duty only, as previously nominated and confirmed:

Byron F. McElhannon
Richard B. Page
Albert K. Pavelka

James F. Simpson
Byron Usklevich

Claude D. Masters to be a lieutenant commander in the Civil Engineer Corps of the Navy, limited duty only, in lieu of lieutenant in the Civil Engineer Corps of the Navy, limited duty only, as previously nominated and confirmed.

Jack J. Jones to be a lieutenant in the Civil Engineer Corps of the Navy, limited duty only, in lieu of lieutenant (junior grade) in the Civil Engineer Corps of the Navy, limited duty only, as previously nominated and confirmed.

Charles M. Gasset to be a lieutenant (junior grade) in the Civil Engineer Corps of the Navy, limited duty only, in lieu of ensign in the Civil Engineer Corps of the Navy, limited duty only, as previously nominated and confirmed.

WITHDRAWALS

Executive nominations withdrawn from the Senate July 11 (legislative day of June 2), 1949:

UNITED STATES MARSHAL

MISSOURI

Fred A. Canfil to be United States marshal for the western district of Missouri.

POSTMASTER

CALIFORNIA

John C. Findlay, San Marcos.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 11, 1949

The House met at 12 o'clock noon.

The Acting Chaplain, Rev. Jacob S. Payton, D. D., offered the following prayer:

God of the ages, to whom by divine decree and custom the makers of laws have ever been admonished to turn before entering upon their duties, look with favor upon this body. During the coming week impart to its Members Thy wisdom which ennobles all service and Thy truth and righteousness which alone insure durability to human efforts. Called upon as they are to serve in a world clamorous with many disturbing voices, may they ask only, "What saith the Lord?" May Thy presence attend the President of the United States and those who share with him the burdensome responsibilities of government. This day may no unworthy motive have dominion over the will of any Member of this body. This we pray in the name of Jesus our Saviour. Amen.

The Journal of the proceedings of Friday, July 8, 1949, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Hawks, one of his secretaries, who also informed

the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On July 5, 1949:

H. R. 4878. An act to authorize certain Government printing, binding, and blank-book work elsewhere than at the Government Printing Office if approved by the Joint Committee on printing; and

H. J. Res. 240. Joint resolution authorizing the erection in the District of Columbia of a statue of Simon Bolivar.

On July 6, 1949:

H. R. 3198. An act to amend the act of June 18, 1929;

H. R. 3549. An act to permit the Comptroller General to pay claims chargeable against lapsed appropriations and to provide for the return of unexpended balances of such appropriations to the surplus fund; and

H. R. 5100. An act to correct inequities in the pay of certain officers and employees of the Federal Government and of the government of the District of Columbia.

On July 9, 1949:

H. R. 2282. An act to make certain Government-owned facilities available for international broadcasting in the furtherance of authorized programs of the Department of State, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 287. Joint resolution extending section 1302 (a) of the Social Security Act, as amended, until June 30, 1950.

The message also announced that the Senate had passed a joint resolution and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. J. Res. 114. Joint resolution to provide an increase in the authorization for the Federal National Mortgage Association; and

S. Con. Res. 53. Concurrent resolution relating to the enrollment of Senate bill 70, to make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

BERLIN AIRLIFT MEDAL

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2737) to establish the decoration Medal for Humane Action for award to persons serving in or with the armed forces of the United States participating in the current military effort to supply necessities of life to the people of Berlin, Germany, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the amendments, as follows:

Page 1, line 3, strike out "decoration" and insert "medal."

Page 2, line 5, strike out all after "person" down to and including "direct" in line 7.

Amend the title so as to read: "An act to establish the Medal for Humane Action for award to persons serving in or with the armed forces of the United States participating in the current military effort to supply necessities of life to the people of Berlin, Germany."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Georgia explain the Senate amendments?

Mr. VINSON. These amendments have been approved by the Committee on Armed Services. The House bill provided for the awarding of a decoration. The word "decoration" was stricken out and the word "medal" was substituted by the other body. According to the provisions of the House bill, there might have been the possibility of a person receiving two decorations. That is eliminated by the Senate amendment. This has been agreed to by the full Committee on Armed Services.

Mr. MARTIN of Massachusetts. Is the medal to be given to civilians?

Mr. VINSON. No; it is a medal for those who participated in what is known as the Berlin airlift for the armed services.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FURS AND FUR PRODUCTS

Mr. COX, from the Committee on Rules, reported the following privileged resolution (H. Res. 278, Rept. No. 1007), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5187) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto for final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. BLAND asked and was given permission to extend his remarks in the RECORD on the occasion of the two hundred and fiftieth anniversary of the Foundation of Williamsburg, Va., and to include therein certain remarks made on that occasion.

THE LATE HONORABLE HUGH A. MEADE

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SASSCER. Mr. Speaker, it is with profound sorrow that I announce the passing of our late colleague, Representative Hugh Meade, of Maryland, who served in the last Congress. Mr. Meade, in the prime of vigor of middle life, was stricken with a heart attack on Friday and died here in Washington. The Members of Congress with whom he served, and his many friends in Maryland, are saddened by his passing. He graduated from Loyola High School and the University of Maryland Law School. His political career began as secretary to the late Governor Albert C. Ritchie. He later served as a member of the General Assembly of Maryland. He served as assistant attorney general of Maryland and later served in the United States Navy during the recent war. He was elected to the Eightieth Congress; following which service he served as head of the legal staff of the Committee on Merchant Marine and Fisheries.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. BLAND. Mr. Speaker, I met Hugh Meade immediately after he came on the Committee on Merchant Marine and Fisheries in the Eightieth Congress. I was impressed with his fine attainments, his desire to serve his country and his people to the best of his ability, and his fine zeal to do his duty. In fact, during my service of over 31 years in the Congress of the United States, I have never met anyone who impressed me more than he did. After the election in November 1948 it became obvious that I would be returned to the chairmanship of the Committee on Merchant Marine and Fisheries in the Eighty-first Congress and I was delighted to continue his services with that committee as its chief counsel. I was not mistaken in him. He served until the date of his death, and it was my opportunity to consult him freely. His industry was outstanding, his zeal could not be exceeded. There was no task too small for him to undertake. He showed remarkable intelligence, outstanding ability, and untiring energy. A few hours before he left us, he had consulted with me as to the further work of our committee. I feel as one who has lost his right arm.

His life was short but well spent. His fine service will prove an inspiration to all who knew him. His example will live and I pray that when we go it may be said of each of us, that we have done our work half as well as Hugh Meade did his. God bless his memory. May his rest be sweet.

EXTENSION OF REMARKS

Mr. POAGE asked and was given permission to extend his remarks in the RECORD and include certain letters, notwithstanding the fact that it exceed the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost \$262.50.

Mr. RAINS asked and was given permission to extend his remarks in the RECORD in three instances and include a newspaper editorial.

Mr. RIVERS asked and was given permission to extend his remarks in the

RECORD and include a speech by the Secretary of the Army to the graduating class of West Point.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

LET US DO OUR OWN JOB AND LET THE COURTS DO THEIRS

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, over the week end the press has been replete with headlines about attacks by some Members of this body upon one of our Federal judges sitting in New York.

Judge Samuel Kaufman needs no defense from anyone. But I refuse to remain silent and appeal to acquiesce in the unwarranted attempt to besmirch his character. Judge Kaufman is a good lawyer and an excellent judge. His honesty and uprightness are unassailable. He is every bit as loyal and patriotic as his attackers.

The charges made against this distinguished judge are the more unfair because the judge cannot fight back. Since the defendant must be retried, it would be unethical and improper for him to make any comment upon that trial, lest it affect the conduct of the new one.

If my colleagues had any regard for the rights of the defendant to a fair trial, they would not have unfairly prejudiced him by their comments. Let us never forget that the strength of this democracy of ours is its division into three branches, the executive, the judicial, and the legislative. We would be the first to severely criticize the judiciary if it tried to tell us how to do our work.

Let us attend to our job and let the courts do theirs.

If nothing else, it will give us more time to legislate intelligently.

The SPEAKER. The time of the gentleman from New York [Mr. MULTER] has expired.

UNITED STATES MERCHANT MARINE ACADEMY

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, the cut of \$3,435,000 in the maritime training budget as reported out Thursday by the Senate Appropriations Subcommittee will mean the death of the United States Merchant Marine Academy at Kings Point, Long Island, N. Y.

This Academy is not just a wartime training school but was provided for in the Merchant Marine Act of 1936, as amended, in 1938 after disastrous sea accidents, such as the *Morro Castle* and *Mohawk*, showed a dire need for competent merchant marine officers. Now, after 14 years of continuous progress to rectify this situation, this cut, if passed

on the Senate floor, will nullify all efforts of this youngest of the Federal academies.

I strongly urge you to bend every effort to reinstate the full appropriation as passed by the House including expense allowance for each cadet-midshipman at the Academy of a monthly allotment of \$65 which is used to purchase textbooks, uniforms, and miscellaneous expenses as enumerated herewith:

Uniforms.....	\$15.00
Textbooks.....	4.00
Taxes.....	1.25
Various fees.....	6.25
Laundry and cleaning.....	10.00
Haircuts, toilet articles, travel and personal expenses.....	28.50
Total.....	65.00

The effect of the unprecedented cut of the monthly allotment to cadet-midshipmen will have the following adverse results:

(a) Many of the present students will be forced to resign due to limited means. Such action will be forced upon young men who have completed as much as 3 years of the 4-year curriculum. It is estimated that more than 60 percent will resign.

(b) Government will lose investment as well as having gained the ill-will of the young wards and their families through the breach of its good faith.

(c) Young Americans of limited means will be shut out from appointment to the school even though these boys have the characteristics to become loyal, efficient ship's officers.

(d) Create a precedent for abolishment of pay to cadets at West Point, Annapolis, and the Coast Guard Academy as well as the thousands of Naval Reserve Officer Training Corps at universities.

(e) Slow strangulation of the USMMA and its doors will soon have to close.

Once again, I wish to emphasize the importance of maintaining the Federal Merchant Marine Academy. It serves the Nation not only by providing competent merchant marine officers in time of peace but also as a ready source of Naval Reserve officers in time of war.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

CRITICISM OF FEDERAL JUDGE KAUFMAN

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the most heartening statement that I have seen emanate from any high place in government in a long time was the statement made by the Attorney General on last Saturday, which was to the effect that Alger Hiss would again be put on trial.

Mr. Speaker, I here want to pay tribute to Mr. Thomas J. Murphy, the attorney who prosecuted the Hiss case. Almost single-handed and alone he beat down what was apparently a conspiracy to cheat the law and to liberate a traitor. His conduct reflected great credit upon the bar while that of the presiding judge

reflected discredit upon the bench. The name of one is this morning spoken of throughout the entire country with praise, while that of the other is spoken with censure.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, it has been brought to my attention and the attention of the country by both the press and radio that at least two Members of Congress have seen fit to impugn the motives of a Federal judge in his handling of a case in the Federal court. I am also aware of the fact that one of these gentlemen has made some unwarranted, vicious, and partisan political accusations against the administration in connection with this case.

All of this leads me to ask the following questions: Has any member of the Un-American Activities Committee the right to interfere with the judicial branch of the Government?

Has any member of that committee the moral right to retry this case in the public press?

Is the Un-American Activities Committee being used as a partisan political vehicle?

Is the feverish desire of some Members of this body to get their names in print, casting reflections on the Congress as a whole, and endangering the traditional balance between the three branches of government?

Are the functions of the Un-American Activities Committee to investigate subversive activities or to make headlines in the press?

The SPEAKER. The time of the gentleman from Ohio has expired.

DEATH OF THE GOVERNOR OF TEXAS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, we have just received word that the Governor of Texas died unexpectedly this morning. As chairman of our delegation, it becomes my duty to make this sad announcement to the Members of this House.

Beauford Jester was serving his second term as Governor of Texas. He was a man in the prime of life. He had served his State and Nation in many important capacities. Just this past week the Legislature of Texas had completed its longest session. Like this Congress it had had difficulty in providing for the needs of the State and avoiding a deficit. The Governor had struggled with a heavy responsibility. He was still confronted with a great mass of bills as yet unsigned. Just yesterday he told a friend that he intended to take these bills with him to

Galveston where he hoped to get some opportunity to study them as he went through the clinic of the State Hospital there. He did not live to complete that journey. I am advised that he died in his berth on the train between Austin and Houston, but this was not discovered until the train stopped in Houston this morning. Undoubtedly the strain and the extra work incident to the long session combined with other worries to hasten his passing.

The State of Texas and, I know, the friends of Texas all over this country join in grief at the passing of this active, splendid, outstanding citizen of our State, and it is with great sadness I find it my duty to make this announcement.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The late Governor of Texas made an outstanding name for himself which has spread throughout the country. We of the East, the Northeast, and I know all other sections of the country respected the late Governor for the fine character of public service he rendered. Speaking for the people of my section generally, and I am sure for all other sections of the country, we join with the people of Texas in expressing sympathy in the death and passing on of their beloved and courageous Governor.

PUBLIC IMPROVEMENTS IN ALASKA

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. R. 279) providing for the consideration of the bill (H. R. 940) to authorize public improvements in Alaska, and for other purposes (Rept. No. 1008), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 940) to authorize public improvements in Alaska, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Lands, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. BUCHANAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include communications from various groups in the District of Columbia interested in home rule, addressed to the chairman of the committee, and certain newspaper articles.

Mr. ARENDS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial entitled "Wheels Within Wheels" which appeared in the Washington Herald of last Saturday which is

a reprint from an editorial from last Friday's Chicago Tribune.

Mr. JACKSON of California asked and was given permission to extend his remarks in the RECORD in three separate instances and in each to include extraneous matter.

CARLTON C. GRANT AND OTHERS

Mr. BYRNE of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 578) for the relief of Carlton C. Grant and others, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 2, line 2, after "Thompson," insert "Ollie Marine."

Page 2, line 14, after "Carolina," insert "W. N. Marine, of route 2, Wilmington, N. C."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendments?

Mr. BYRNE of New York. The effect of the amendments is to add two names to the original claim.

Mr. MARTIN of Massachusetts. And the gentleman's committee is in favor of the amendments?

Mr. BYRNE of New York. Yes.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VICTOR R. BROWNING & CO., INC.

Mr. BYRNE of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 599) for the relief of Victor R. Browning & Co., Inc., with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 1, line 8, strike out "-13698" and insert "3461."

Page 1, lines 8 and 9, strike out "dated."

Page 2, line 3, after "Carolina," insert "which was withheld from payments otherwise due the Victor R. Browning & Co., Inc., under contract numbered NOY-13698."

Mr. BYRNE of New York. Mr. Speaker, the amendments are only clarifying and do not affect the bill as passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. MASON asked and was given permission to address the House for 10 minutes on Wednesday and Thursday of this week after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. JENSEN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial by Arthur Krock appearing in the New York Times of yesterday.

Mr. NORBLAD asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include editorials.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper editorial.

Mr. GROSS asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from a constituent on the farm program.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial taken from the United Mine Workers Journal on the subject, Stop the St. Lawrence Folly.

Mr. FENTON asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. JUDD asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

UNEMPLOYMENT ALLOWANCE TO VETERANS, JULY 11, 1949

Mr. DAVENPORT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DAVENPORT. Mr. Speaker, I am today introducing a bill calling for the extension of the 52-20 unemployment allowance to veterans. My proposal is to extend the present law until February 25, 1950. We have only until July 25 to take care of this important matter for at that time the present law expires. Time is rapidly running out.

Other, and more cumbersome, bills have been introduced to lend a helping hand to those who lent us a helping hand in our great hour of need. I have stipulated February 25, 1950, so that the present Congress can help quickly and not find it necessary to go into the complex long-range problems involved.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 114 to provide an increase in the authorization for the Federal National Mortgage Association.

The Clerk read the Senate joint resolution as follows:

Resolved, etc. That section 302 of the National Housing Act, as amended, is amended to read, as follows:

"Sec. 302. The total amount of investments, loans, purchases, and commitments

made by the Association shall not exceed \$1,500,000,000 outstanding at any one time. The Association is authorized to issue and have outstanding at any one time notes and other obligations in an aggregate amount sufficient to enable it to carry out its functions under this act or any other provision of law."

Sec. 2. Section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out "\$2,000,000,000" and inserting in lieu thereof "\$2,500,000,000."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the chairman of the committee briefly explain this resolution?

Mr. SPENCE. Mr. Speaker, this resolution increases the authority of the Federal National Mortgage Association by \$500,000,000 to provide a secondary market for mortgage loans. The authority of the Federal National Mortgage Association has now practically been used up and it has caused the cessation of activities of that association. The Federal National Mortgage Association and all the agencies of the Government connected therewith feel it is essential that this authority be continued. There has also been a general cry for help from prospective borrowers from all sections of the country that this authority be granted.

The Federal National Mortgage Association has sustained no loss; in fact, it has made a profit, and I assume that the future operations will be as successful as they have been in the past.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Louisiana.

Mr. BROOKS. As a matter of fact, has not word gone out there will be no more rediscounting of these mortgage loans and, as a consequence, that particular program is at a standstill?

Mr. SPENCE. It is at a standstill at the present time because of lack of authority in the Federal National Mortgage Association to purchase these securities as it furnishes a secondary market without which the lending institutions refuse to make the loans.

Mr. SMATHERS. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Florida.

Mr. SMATHERS. Does this mean that the Committee on Banking and Currency will not now consider favorably the bill H. R. 1938 which, as I understand it, originally had the title "Federal National Mortgage Association"?

Mr. SPENCE. It does not mean we will fail to consider any other legislation. We bring this legislation up at this time because it is essential and we feel it needs expeditious action.

Mr. SMATHERS. I would like to agree with the gentleman and commend him for reporting it out.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I would like to ask the gentleman if this

bill provides for the continuation of selling these mortgages to the RFC?

Mr. WOLCOTT. That is right. It is with the same standard and with the same limitations that they are selling them now. They do not sell them to the RFC. They sell them to the Federal National Mortgage Association, which is a subsidiary of RFC.

Mr. AUGUST H. ANDRESEN. How about the old mortgages that the bank and others hold that they were prohibited from turning over to the RFC? Does it reinstate them?

Mr. WOLCOTT. No. It does not change the organic law, or the basic law, in any respect. It merely increases the authorization from about a billion dollars to a billion and a half.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRACT SETTLEMENT ACT OF 1944—
VETO MESSAGE FROM THE PRESIDENT
OF THE UNITED STATES (H. DOC. NO. 253)

The SPEAKER laid before the House the following veto message from the President of the United States:

To The House of Representatives:

I am returning herewith, without my approval, the enrolled bill, H. R. 834 "to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes."

H. R. 834 would compensate the mining industry for virtually all losses sustained during the war in connection with mining, or attempting to mine, strategic or critical metals and minerals. It would provide compensation for losses including net capital expenditures which occurred in filling or attempting to fill formal contracts. It would also provide compensation for losses which occurred in attempting to supply such metals and minerals even where no contract was entered into and no Government official knew of the efforts being made to supply the material.

The principle that the Government should compensate war contractors, and volunteers acting without contracts, for losses sustained by them in activities related to the war has not generally been accepted. The implications of this principle are profound, both with respect to our finances and with respect to our free enterprise system, and should be carefully considered before this principle is accepted.

H. R. 834 adopts this principle with respect to a single industry, the mining industry.

During the war many important metals and minerals were in short supply and efforts were made to increase their production. The United States Bureau of Mines and the United States Geological Survey provided assistance in exploration

and development work, at no direct cost to the miner. The Reconstruction Finance Corporation stood ready to make mining loans to persons in need of finances to develop mining properties. The Defense Plant Corporation stood ready to construct and equip mining projects. The Metals Reserve Co. offered to purchase the materials produced, either through specific contracts or by purchasing odd lots. The Premium Price Plan for copper, lead, and zinc provided an operating subsidy for increased production.

All of these activities were carried out within the traditional framework of our free-enterprise system. The terms and conditions of the assistance which would be provided were specified in advance. A man who thought he could operate profitably under these conditions was free to do so, and to retain the profits if his operation was successful. If, however, the operation was unsuccessful, either because his costs were higher than expected or because his expectations as to the supply of ore were not realized, it was assumed that he would bear the loss.

The Government might have made use of the cost-plus contract system for operating the mines of the country during the war, in spite of the general reluctance to do so because of the increased costs which would be expected to result from this system. However, this would have eliminated and deprived the mining industry of any profits during the war, except to the extent of the fee involved. Whether this would have been more effective in getting out the needed materials, whether it would have been more economical to the Government, and whether the mining industry would have welcomed it, cannot now be determined. The fact is that the Government did not enter into cost-plus contracts for the operation of the mines. To compensate the unsuccessful for their losses, while the successful retain their profits, leaves the taxpayer with all the harmful results of the cost-plus system and none of its benefits.

I do not believe that the mining industry as a whole wants to adopt the policy that the Government should guaranty it against loss in time of emergency. Regulation of industry and assistance to industry in time of war are necessary. They can be carried out without eliminating all risk of financial loss and opportunity for profit with the resulting incentive for greater efficiency and lower costs.

While the mining industry differs in many respects from other industries, I find no valid basis for the discrimination proposed by H. R. 834. Other industries were urged to do their part in the war program, and other industries responded as splendidly to the challenge of the wartime programs as did the mining industry. Many of these industries were also exposed to risks that were unique to them. They too sustained losses in enterprises undertaken as a part of the war effort. Approval of this bill would likely result in demands by many other classes of persons for amendments which would grant similar relief to them.

Section 2 of H. R. 834 carries the principle of reimbursing war contractors for their losses over to persons who may have had no dealings at all with the Government, and who may have engaged in a mining operation which the Government would have discouraged or forbidden, if the matter had been brought to its attention. Where the Government specifically requested that an operation be undertaken for the purpose of supplying materials to a contracting agency or war contractor, under circumstances which would have led the miner to expect reimbursement, relief can now be had by a person acting on such a request under section 17 of the Contract Settlement Act. Here the elements of a contract are present, together with a fair basis for compensation for the loss resulting from failure by the Government to live up to the expectations it had brought about. Under the proposed amendment, no such basis for liability exists. In fact, the opposite might be the case. A person, hearing of the need for a scarce mineral over the radio might in good faith hurt the war effort considerably by making, on his own initiative, a substantial expenditure of manpower and materials in a fruitless mining operation—however much reason he had to believe minerals were present and however free he might be of fault, negligence, or speculative purposes. Furthermore, the application of the principles in this section would subject the Government to an unknown and undeterminable liability and would have a disturbing effect upon wartime controls over materials and manpower.

The Contract Settlement Act of 1944 has been in effect for almost 5 years. The provisions of this act were enacted for the speedy settlement of terminated war contracts. Many settlements have been made under it and many decisions have been made by the boards established under it. I consider it a highly successful piece of legislation, and one which has contributed substantially to the transition from all-out war production.

The Lucas Act, too, of August 7, 1946 (60 Stat. 902), made generous provisions for the payment of equitable claims of contractors including those in the mining industry for losses which occurred in the performance of their contracts.

The enrolled enactment would reopen the entire contract settlement program with respect to minerals and metals at a time when that program has been practically completed. The principle of the finality of settlements, which was adopted in the Contract Settlement Act and which experience has demonstrated to be sound, would be abandoned. Contracts which were canceled because of default by the contractor, contracts which were completed, contracts which have been approved by the courts would be reopened and new claims could be filed by the contractors. This would add a tremendous administrative burden and expense. Moreover, since the personnel familiar with the metals and minerals program have, for the most part, left the Government, it would be very difficult to protect the Government's interest. It

would be especially difficult to ascertain the facts with respect to claims made under section 2.

It should be noted that the Office of Contract Settlement reported to Congress that, as a result of a thorough survey, it had determined that the provisions used by Metals Reserve Company—and Reconstruction Finance Corporation as its successor—in terminating and settling contracts for the purchase of metals and minerals provided fair compensation in accordance with the principles of the Contract Settlement Act of 1944.

In my opinion, it would be a serious error to introduce at this time a new principle—insurance against war-caused losses. This would involve reopening the entire program of financing the war, with incalculable effects upon our finances.

To introduce this principle in the case of a single industry would not only give effect to an unsound principle and establish an unfortunate precedent but it would give rise to an unjustifiable discrimination.

HARRY S. TRUMAN.

THE WHITE HOUSE, July 11, 1949.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

By unanimous consent, the bill and message were referred to the Committee on the Judiciary and ordered to be printed.

MIDYEAR ECONOMIC REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 252)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Joint Committee on the Economic Report, and ordered to be printed:

THE WHITE HOUSE,
Washington, D. C., July 11, 1949.

The honorable the PRESIDENT OF THE SENATE.

The honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: I am presenting herewith a Mid-year Economic Report to the Congress. This is supplementary to the Economic Report of the President of January 7, 1949, and is transmitted in accordance with section 3 (b) of the Employment Act of 1946.

In preparing this report I have had the advice and assistance of the Council of Economic Advisers, members of the Cabinet, and heads of independent agencies.

Together with this report I am transmitting a report, the Economic Situation at Midyear 1949, prepared for me by the Council of Economic Advisers in accordance with section 4 (c) (2) of the Employment Act of 1946.

Respectfully,

HARRY S. TRUMAN.

EXTENSION OF REMARKS

Mr. JENNINGS asked and was given permission to extend his remarks in the Record and include an editorial.

Mr. PACE asked and was given permission to extend his remarks in the Record and include an editorial.

Mr. KIRWAN (at the request of Mr. MANSFIELD) was given permission to extend his remarks in the Record and include a speech.

PUERTO RICO FARM LOANS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 266 and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3699) to amend the Federal Farm Loan Act, as amended, to authorize loans through national farm-loan associations in Puerto Rico; to modify the limitations on Federal land-bank loans to any one borrower; to repeal provisions for subscriptions to paid-in surplus of Federal land banks and cover the entire amount appropriated therefor into the surplus fund of the Treasury; to effect certain economies in reporting and recording payments on mortgages deposited with the registrars as bond collateral, and canceling the mortgage and satisfying and discharging the lien of record; and for other purposes. That after general debate which shall be confined to the bill and to continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, this rule makes in order the bill H. R. 3699, reported unanimously by the Committee on Agriculture.

The object of the bill is to extend the Federal Farm Loan Act so as to permit the making of loans in Puerto Rico and Alaska. It also raises the limit of the amount of loans which may be made, doing away with the \$50,000 limit, but retaining the provision that all loans over \$25,000 must be approved by the Commissioner himself.

Strange as it may seem this bill also returns to the Federal Treasury \$189,000,000 which was advanced to the Federal land banks, and for which they have no further need. They are in splendid condition and are now owned by their various and sundry members.

Mr. Speaker, I reserve the balance of my time and I yield such time as he may desire to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Virginia [Mr. SMITH] has explained, this is a rather simple bill. It does give authority for the Federal land banks to operate under the Federal Farm Loan Act in Puerto Rico, but above all does save, or returns to the Treasury, \$189,000,000, and I hope everyone is in favor of that.

There are no requests for time on this side. The measure was reported unani-

mously, as I understand it, both by the legislative committee and the Committee on Rules.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3699) to amend the Federal Farm Loan Act, as amended, to authorize loans through national farm-loan associations in Puerto Rico; to modify the limitations on Federal land-bank loans to any one borrower; to repeal provisions for subscriptions to paid-in surplus of Federal land banks and cover the entire amount appropriated therefor into the surplus fund of the Treasury; to effect certain economies in reporting and recording payments on mortgages deposited with the registrars as bond collateral, and canceling the mortgage and satisfying and discharging the lien of record; and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3699, with Mr. HUBER in the chair.

The clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] is recognized for 30 minutes, and the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] will be recognized for 30 minutes.

Mr. COOLEY. Mr. Chairman, as has been explained by the gentleman from Virginia [Mr. SMITH] and the gentleman from Ohio [Mr. BROWN], this bill is very simple. At the same time it is very important. It does recapture and cover into the Treasury the sum of \$189,000,000.

Without attempting to discuss the bill myself, I would like to yield to the gentleman from Texas [Mr. POAGE], chairman of the subcommittee which conducted the hearings and reported this bill unanimously to the Committee on Agriculture. The bill was reported unanimously by the entire Committee on Agriculture.

I now yield to the gentleman from Texas [Mr. POAGE] 7 minutes.

Mr. POAGE. Mr. Chairman, this bill does four different and distinct things. These different changes are all thrown into the one bill because they all involve changes in the organization of the Federal Land Bank System. The bill was captioned "A bill to extend privileges of land-bank borrowing to Puerto Rico, and for other purposes." Frankly, it will be my purpose when the bill is read for amendment to offer two amendments that will extend the privileges of the farm-credit system to Puerto Rico, Alaska, and Hawaii, because it seems that they should all be placed on a parity, and other bills were introduced to accomplish that purpose. It can all be done, however, in this one bill. On that

point may I call attention to the fact that under the original land-bank law 12 districts were set up, all in the continental United States. Provision has been made for the execution of loans in Puerto Rico but they had to be handled as direct loans through the Baltimore bank, a direct departure from the policy of the Land Bank System which is a cooperative system under which all of the stock is owned by the borrowers. It was hoped when the system was started, and it has proven true, that the system could be operated as a purely farmer-owned cooperative system. The present policy of requiring loans for Puerto Rico, Alaska, and Hawaii to be made by branch banks and on different terms than is done in the continental United States does create an incongruity in the Land Bank System; it works to weaken the system.

The experience of the bank with loans in Puerto Rico has been that they have been repaid even better than loans made during similar periods of time in some States of the Union. The loans made through the Baltimore bank—and I say this without intending to cast any reflection on the States included in the Baltimore area—the experience of the loans made in Puerto Rico has been better than on loans made in some of the States of continental United States. So we feel that there should be no objection to the policy of extending to the outlying areas of the United States the same principle that we have now in continental United States.

Section 2 of the bill authorizes a change in the lending powers of the bank. Presently, the land banks are limited to loans of \$50,000. You will immediately ask why they should increase the amount. There are two reasons, as I see it, that are fundamental: In the first place the Land Bank System is no longer owned by the Federal Government but is owned entirely by the farmers; and, it seems to me, they should be allowed to make loans to such of their members as they wish wherever these loans are shown to be sound. The more important factor, however, is that in order to carry the small loans that we all want to see carried by the land-bank systems, loans of \$500 or \$1,000, and going on up to \$2,500, the banks lose money. On handling those small loans it is inevitable that they lose money, because the cost of servicing those loans is all out of proportion to the cost of servicing the larger loans. There are the same attorney fees; there are the same recording fees; there are the same examination fees, and, in most instances, the bank has all of the overhead on a loan of \$500 that it would have on a loan of \$100,000.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. AUGUST H. ANDRESEN. Section 2 provides that home loans shall not be made in excess of \$25,000; yet the law provides that loans may be made up to \$50,000. The Land Bank Commissioner, however, is given the opportunity of approving applications for \$25,000. Does the language in section 2 authorize the Land Bank Commissioner to approve loans up to \$50,000?

Mr. POAGE. The law allows loans to be made up to \$50,000 at the present time.

This bill amends the present law in this respect: Under this bill there is no upper limit for approval by the Land Bank Commissioner when submitted to Washington. The Land Bank Commissioner must approve all those above \$25,000, although it requires that the banks give preference to loans under \$10,000. The present limit is not \$25,000 as the gentleman understood, it is \$50,000. The requirement about the \$25,000 is that in any loan in excess of \$25,000 the security shall be submitted to the Land Bank Commissioner and receive his scrutiny before the loan is approved. The purpose of that, of course, is to make certain that the security offered for these larger loans meets every possible test and is just as good as we can get in the way of security. That is the reason it is required in the case of large loans not only that the local Farm Loan Association endorse the notes as they are required to do today, not only that the local land bank approve the loans but if the loan exceeds \$25,000 that it be submitted to the Land Bank Commissioner in order that he may again scrutinize it and determine that there is no possibility of loss on the loan. Actually these loans are the most profitable loans that the land bank can make. Actually the experience of loss on these larger loans is far better than on the smaller loans because they are well scrutinized.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. POAGE. Mr. Chairman, these larger loans are generally loans made on business operations—that is, the larger ranches and the larger farms, those that are run on a businesslike basis. They are the best loans and the interest from those large loans enables the land bank to carry many of the smaller loans that it simply could not carry if it was not allowed to go into this field.

Mr. Chairman, section 3 of this bill returns to the Treasury of the United States \$189,000,000. That there may be no misunderstanding about that, I want you to know how this money became available. During the depression of the thirties the Congress from time to time appropriated money and made it available for operative capital of the land banks. This was Federal money, just as the Government bought stock in the national banks all over the country; it was Federal money in the land banks. That money has all been paid back, every dollar of it. The banks have paid it out. They do not have any Federal money in their operations now, it is all private money that is operating the land banks. This money has gone back to the Government, but it is held in a special fund which is available under the present law to be put into the capital structure of the land banks at any time. This bill returns that money to the Treasury of the United States, it adds nearly \$200,000,000 that you can count off and credit against the appropriations we are making.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the gentleman from Texas has fully explained this bill, which was unanimously reported by the Committee on Agriculture of the House. There is no opposition to the bill on this side and there are no requests for time; therefore I recommend that the bill be read for amendment.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, this bill can be of real importance in the agricultural development of Alaska. As the report from Secretary Brannan to the Speaker dated April 18, 1949, points out, Alaska is in the same situation as Puerto Rico in that legal authority is not available for organizing or chartering national farm associations. Direct loans through a branch bank have been made in Puerto Rico. No such loans have been made in Alaska. Section 1 of H. R. 3699 would permit the formation of national farm associations in Alaska and Puerto Rico on the same basis as elsewhere.

The committee amendment in the form of a new section 5 takes care, so far as Alaska is concerned, of an omission in existing law which I sought to correct through H. R. 215 and the enactment of which will not be necessary because of the provisions of the new section 5. That section makes it clear that Alaska, Puerto Rico, and Hawaii shall be included in the 12 districts in the United States incorporated in the Farm Credit Act of 1937. So far as Alaska, at least, is concerned, existing law leaves grave doubt as to whether the district banks for co-operatives or production credit associations may operate in the Territory.

Of course, there is no sound reason at all why Alaska should not be on a basis of absolute parity with the States and with the other Territories in respect to laws in aid of agriculture. The fact that parity has not existed is one of the primary reasons, in my opinion, why there has not been more rapid and more effective utilization of Alaska's farming potentialities. There have been very obvious discriminations against the Alaska farmer. At the present time there are available to him only the very limited credit facilities of the Farmers Home Administration. Money for the Alaska office of that Administration is allocated from a common pot for the Pacific Northwest and is never adequate in amount to satisfy the requirements in the Territory. Other than such aid as can be given by the FHA, the Alaska farmer, attempting to build up an agricultural economy, is altogether on his own. He not only faces all the handicaps that confronted the homesteader in the West but he has the additional obstacles placed in his way by the high latitudes in which he works.

Mr. Chairman, I am proud to say that this House at this session of Congress has done much to remove the discriminations referred to above and to ease the way for the Alaska farming pioneer of the midtwentieth century. Within the

last month the House has passed legislation to authorize appropriations for Alaska equivalent to the full amounts for every State, Hawaii, and Puerto Rico under the acts having to do with experiment stations and with extension service. In Alaska, where we should have been moving forward under a broad and comprehensive program to bring the land into agricultural production, we have up to this time failed to do as much as elsewhere within existing formulas. If the bills referred to become law, a notable step ahead will have been taken.

Another bill which passed the House at this session will do much for Alaska farmers if it becomes law. That is the bill introduced by the gentleman from Idaho [Mr. SANBORN], providing that loans may be made to homesteaders who have not yet acquired title to the land. This type of loan will make it possible to advance money to homesteaders for clearing purposes and thus will give the settler substantial aid when he needs it most; that is, when he is short of funds and when he is trying to carve a home and a farm out of the wilderness.

Mention should also be made of the fact that a cooperative program has been instituted between the University of Alaska and the Department of Agriculture for fundamental research on a scale that should have been established long ago.

Just the other day, Mr. Chairman, our colleague, the gentleman from Michigan [Mr. MICHENER] was telling me of having been to Fairbanks in 1923. He said he was impressed by the quality of the crops being grown but was surprised at the small acreage at the experiment station. He would find many changes, Mr. Chairman, in the 26 years which have intervened since then. The changes would be even greater and more favorable if this Government had moved forward long ago in an aggressive way to assist agriculture in Alaska and to assist settlers in locating on the land.

The notion that has been prevalent through the years and even yet is all too prevalent that Alaska is a country of arctic characteristics should be dispelled whenever and wherever possible. That description can be applied to only a relatively small part of that great land of 585,000 square miles and has no pertinence whatsoever as to most of the Territory.

It is true that difficulties are found by farmers which are unique but there is nothing that cannot be overcome. It may be that Alaska will not within our time become a great agricultural community. But there is room and room now for many more farmers and we can do much by way of supplying our own needs for certain foodstuffs. Alaska is blessed with so many resources of so many kinds that it has always seemed to me that a reasonably sized agricultural population there, and another segment of the population engaged in other pursuits, could provide the kind of economy that would be mutually beneficial to Alaska and to the States. With more farmers we should not have to import certain crops that can be raised in Alaska. With the building up of our industries, with further exploitation of

fishing when that can properly be brought about, with an expansion of mining, with utilization of our timber, and with further industrial growth, Alaska's population will increase and Alaska's natural resources will flow back to the United States to add to the wealth of the Nation. With this growth there will be a natural increase in Alaska's agricultural economy and at the same time there will be a further demand for agricultural products from the States. Thereby there will be created an ever-increasing mutually beneficial two-way flow of commerce.

Estimates have been made that there are 65,000 square miles of Alaska suitable for agriculture and another 35,000 square miles suitable for grazing. The Matanuska Valley has 768,000 acres and of this amount it is estimated 65 percent can be cleared for cultivated crops or permanent pastures. The Tanana Valley contains 7,000 square miles, of which a measurable fraction can be utilized for agriculture. On a dollar basis the present production in Alaska is not large. It is running now on the order of about \$2,000,000 annually including dairying and livestock raising. On a basis of comparison with great agricultural areas that figure may be small, but on a basis of comparison with past production in Alaska it is highly gratifying. If this bill now before the House passes and becomes law; if the other bills referred to become law, I know that there is enough pioneering instinct in the people of America yet to establish in Alaska a worth-while agricultural development. Of course, the pioneer should receive especial aids but in Alaska he has received practically none at all and that is one of the great reasons why development has tended to lag. There is a striking example across Bering Strait of what can be done. The Soviet government in Siberia, in comparable latitudes and in comparable soil conditions has built up a great and ever-increasing agricultural industry. Primary research of the kind so vital in subarctic conditions was undertaken there long since and the results have been demonstrated in the steady expansion of agriculture in Siberia. In many other fields the Russian Government has aided the farmer, while we have done nothing.

If we are going to build up a substantial population in Alaska, we must have a larger farming population. To insure that population going to Alaska and staying there there must be certain minimum aids and the legislation which I have discussed will provide those aids.

It is now necessary that Alaska advance on all fronts not only for its own sake but for the sake of the Nation. It is our first line of defense.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The bill is as follows:

Be it enacted, etc., That (a) section 4 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 672), is hereby further amended

by adding a new paragraph to said section immediately following the second paragraph thereof to read as follows:

"Notwithstanding the provisions of this section, loans may be made in Puerto Rico and Alaska through national farm-loan associations, and the interest rate applicable to such loans shall be as provided in section 12 of this act. Said associations shall be organized pursuant to section 7 of this act, except that, upon the recommendation of the Federal land bank concerned, any such national farm-loan association may be organized by 10 or more borrowers who have obtained direct loans through a branch bank which aggregate not less than \$20,000, and who reside in a locality which may be covered and served conveniently by the charter of a national farm-loan association and any national farm-loan association after it has become organized may permit any direct-loan borrower through a branch bank to join the association. As to any direct-loan borrower through a branch bank who participates in the organization of a national farm-loan association or joins a national farm-loan association after it has become organized (1) the association shall endorse, and thereby become liable for the payment of, his mortgage loan held by the Federal land bank; (2) the stock in the Federal land bank held by him shall be exchanged for a like amount of stock in said bank issued in the name of the association and the association shall issue a like amount of its stock to him, all in the manner and subject to the terms and conditions provided in the fifteenth paragraph of section 7 of this act (title 12, U. S. C. 723 (d)); and (3) the interest rate payable by him, beginning with the next regular installment date following the endorsement of his loan, shall be reduced to a rate one-half of 1 percent per annum less than the rate paid by him prior to such endorsement."

(b) The last sentence of the first paragraph of section 4 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 672), is further amended by striking the words "by such branch bank" from the proviso at the end thereof.

(c) The first sentence of the twelfth paragraph of section 7 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 723 (a)), is further amended by striking the words "in the continental United States."

SEC. 2. Paragraph "Seventh" of section 12 of the Federal Farm Loan Act (title 12, U. S. C. 771) is hereby amended to read as follows:

"Seventh. The amount of loans to any one borrower shall not exceed \$25,000 unless approved by the Land Bank Commissioner, nor shall any one loan be for a less sum than \$100, but preference shall be given to application for loans of \$10,000 and under."

SEC. 3. All of paragraph "Tenth" of section 13 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 781, 10th), except the first and third sentences thereof is hereby repealed. The Secretary of the Treasury shall cause to be carried to the surplus fund and covered into the Treasury the total amount appropriated for subscriptions to paid-in surplus of the Federal land banks and now held in the revolving fund created pursuant to the provisions of law hereby repealed.

SEC. 4. The first paragraph of section 22 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 891), is hereby amended to read as follows:

"Whenever any Federal land bank, or joint-stock land bank, shall receive any principal payments upon any first mortgage or bond pledged as collateral security for the issue of farm-loan bonds, it shall forthwith notify the farm-loan registrar thereof as may be required by the Farm Credit Administrator. Said registrar shall reflect such payment on his records in such manner as may be prescribed by the Farm Credit Administration. Upon notice from the bank that any such

mortgage is paid in full, said registrar shall cause the same to be delivered to the proper land bank, which shall promptly cancel said mortgage and transmit such canceled mortgage, together with a release or satisfaction thereof as may be required to satisfy and discharge the lien of record, to the original maker thereof, or his heirs, administrators, executors, or assigns."

With the following committee amendment:

Page 2, line 6, after "be", insert "as."

The committee amendment was agreed to.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 3, line 9, strike out all of section (b) and renumber section (c) in line 13 so that it will hereafter be designated as section (b).

Mr. POAGE. Mr. Chairman, this amendment, with the one that will follow it, will have the effect of striking out of the present law the requirement that the operations of the land banks in Alaska, Hawaii, and Puerto Rico be operated through branch banks. The bill as originally written did not extend these provisions to Hawaii. This amendment and the amendment which will immediately follow will extend the operations not only of the land banks itself but of all of the farm credit institutions to all three of the outlying parts of the United States on the same terms as within the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. POAGE. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 5, at the end of the bill, add a new section to be known as section 5 and to read as follows:

"Section 5. The first sentence of section 5 (a) of the Farm Credit Act of 1937 (50 Stat. 703) is amended to read as follows:

"There shall be 12 districts in the United States, including Alaska, Puerto Rico and Hawaii, which shall be known as farm-credit districts and may be designated by number."

Mr. POAGE. Mr. Chairman, this amendment is necessary, along with the first one, to accomplish the result of extending farm credit facilities to all three of these areas. This changes the present law, which provides that there shall be 12 districts exclusive of Alaska, Hawaii, and Puerto Rico, and includes those areas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HUBER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3699) to amend the Federal Farm Loan Act, as amended, to authorize loans through national farm-loan associations in Puerto Rico; to modify the limitations on Federal land-bank loans to any one

borrower; to repeal provisions for subscriptions to paid-in surplus of Federal land banks and cover the entire amount appropriated therefor into the surplus fund of the Treasury; to effect certain economies in reporting and recording payments on mortgages deposited with the registrars as bond collateral, and canceling the mortgage and satisfying and discharging the lien of record; and for other purposes, pursuant to House Resolution 266, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

PAYMENT OF CERTAIN CLAIMS AGAINST THE UNITED STATES

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 221 and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 937) to authorize the Secretary of the Treasury to affect the payment of certain claims against the United States. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. LYLE. Mr. Speaker, this resolution makes in order the immediate consideration of a bill to authorize the Secretary of the Treasury to settle four claims against the United States in behalf of foreign claimants. As far as I know there is no controversy.

Mr. Speaker, I now yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Texas has well explained, House Resolution 221 makes in order consideration of the bill S. 937. The resolution provides for 1 hour of general debate under an open rule. The bill involves a number of small claims of the British and Norwegian Governments. There is certainly no opposition, that I know of, to the rule providing for the

consideration of this bill. However, I understand there will be some discussion, and perhaps some amendments, in the Committee of the Whole.

Mr. Speaker, I have no requests for time.

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. KEE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 937) to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 937, with Mr. KARST in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KEE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this is a bill authorizing the Secretary of the Treasury to settle four claims, three of which are claims by citizens of Great Britain against the Government of the United States, and one by a citizen of Norway. The settlement of these claims has been agreed upon through diplomatic channels. Therefore it requires a separate bill and a rule to bring the matter before the House so that the Congress may agree to the settlement. The bill, having passed the Senate, is now before you for consideration.

Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. SMATHERS].

Mr. SMATHERS. Mr. Chairman, as the chairman of the Committee on Foreign Affairs has already pointed out, we have under consideration the bill S. 937, which involves only four small claims by noncitizens of the United States against the Government of the United States.

This bill passed the Senate on March 18 of this year. The total amount of money that is sought under these four claims amounts to only \$23,384. So in comparison with the amounts of money which we have been dealing with, it is certainly a negligible amount.

This bill and these claims were considered thoroughly by the Foreign Affairs Committee of the House on two separate days, and was reported out by our committee after debate, and then recommended that the Committee of the Whole approve it.

Briefly, these claims are as follows: I will run through them so that you will know what they are.

The first is a claim by the parents of a young man whose name was James D. Wiggins, who, while 21 years old, served on a British sampan in the Whangpoo River in China as an assistant cook. He was sitting out on the deck one night when suddenly and without warning some shots rang out and this young man fell. In a short time he was dead. The investigation revealed that he was shot

by a United States naval seaman whose name was Coyne and then serving on a United States naval surface craft. The Navy called a board of investigation. The board of investigation looked into the matter and discovered that Coyne acted without authority. I would like to read just exactly what they said. They found that this shot was fired without reasonable cause or provocation, in that there was no evidence to indicate that the sampan involved was a menace or a threat to the ship's safety; that the sentry had acted without due cause or circumspection and with a recklessness which implied indifference to the consequences; and that appropriate steps had not been taken to insure the sentries aboard the *U. S. S. Carter Hall* were properly instructed, selected, trained, and supervised.

This boy, the deceased Wiggins boy, had made an allotment to his family. They no longer could get that allotment. They presented, through their Ambassador, a claim against the United States Government for the death of their son. After many notes back and forth, and the approval of the United States Navy and State Department, it was agreed that the United States Government should compensate J. D. Wiggins' family by giving payment to them of the sum of \$12,097. That is the first claim.

The second claim with which we are concerned is one which resulted in 1944, when a Spanish ship, the *Christina*, which was then on Red Cross duty, docked at a small harbor in France, and was bombed by British and American air forces. The investigation revealed that information had been supplied to the Allied command that this Red Cross ship was in that harbor. However, that information did not seep on down to the strategic command, with the result that a bombing raid was held on this port, and this ship was bombed and damaged, even though it was a Red Cross ship and a Spanish ship.

The British Government paid the full amount of the claim. Because both American and British airplanes participated, they—the British—have properly asked that the United States pay its half. Certainly, it is a well-established precedent that the United States should pay that claim.

The third claim is that of the Norwegian Government on behalf of one of its citizens, a man by the name of Jorgensen. It seems that Jorgensen was master of a ship which was attacked while that ship was in neutral waters, waters controlled by the Portuguese Government. That ship was attacked by naval craft operating under the control of Gen. Douglas MacArthur. The facts reveal that the weather was bad, and the visibility was poor, and when the attack was made the plane strafed and bombed this ship on which Jorgensen was master, and Jorgensen was severely and grievously injured, with the result that today he is almost completely and permanently disabled. It was admitted, after consultation with the State Department, the Navy, and the Army, that our Government should compensate him in the amount of \$5,354, in accordance with long-standing precedent.

The fourth and last claim we are concerned with has to do with a man by the name of Stoker John Bailey who was assigned to a British ship in Seattle harbor in 1939. He was a British subject serving on a British ship at that time. The situation was that Stoker Bailey went ashore at Seattle. He had a date with a girl named Norma. His friend had a date with a girl named Mary. As sailors are inclined to do everywhere, they went into a tavern and began to socialize. Finally a fellow by the name of John Ittner, who belonged to the United States Navy came in. He apparently knew these two girls. When Bailey saw what was happening he took his girl and they went to another tavern. This fellow Ittner, a member of the United States Navy, followed the girl and Bailey into the second tavern. Obviously Ittner had been drinking. He came over to the table where Bailey and the girl were sitting, picked up a glass, broke the top off of it, and jabbed it into the face of this boy, Stoker Bailey, with the result that Bailey was finally taken to a hospital and his eye had to be removed.

Because Bailey was not injured in line of duty, and because he was injured not in line of duty he was not entitled to a pension from the British Navy. He took the matter up through his commanding officer and he in turn referred the claim to our Ambassador.

Later Ittner was tried by a summary court martial. He was acquitted. The summary court charged him with disorderly conduct, and an ensign who was the court, acquitted him. The case went then to the reviewing authority, the Judge Advocate General of the Navy. It was the opinion of the reviewing authority that the acquittal was a gross miscarriage of justice. But because of the constitutional prohibition which keeps a man from being put into jeopardy, tried for the same offense, Ittner was not tried again. Now Stoker Bailey had been injured but had no place to turn. He was put out of the British Navy. Through his Ambassador Bailey made the claim to the United States in an amount of \$3,024.38.

Mr. Chairman, very briefly, those are the facts on these four claims. As I said a moment ago, the Army, the Navy, and the State Department have all looked into them, where they were concerned, and they have each approved them. The Senate Committee on Foreign Relations has approved the claims; the House Committee on Foreign Affairs has considered all the claims and they, too, have approved them. The bill now comes up for consideration in the House, and we hope the Membership will see fit to pass this legislation.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SMATHERS. I gladly yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. I am wondering whether there is anything to justify the claim of Bailey, the stoker, in this bill. The British Ambassador wrote to the State Department and said that under British law there was no way by which he could be compensated. How can he be compensated under the laws of the United States?

Mr. SMATHERS. There is an old principle of international law known as the denial of justice principle. That principle says that wherever there is a denial of justice, where there are no courts to which an alien can go, where there is no tribunal to which he can petition for justice, it is then the responsibility and the duty of the government which controls the person who committed the felony, or the act, or the tort, whichever you wish to call it—that it is that government's responsibility to see that justice is done. I will be glad to supply the gentleman with several citations should he desire them.

Mr. SMITH of Wisconsin. I should like to have them.

Mr. SMATHERS. If there are other questions I would be pleased to answer them. If not, Mr. Chairman, I yield back the balance of my time.

Mr. JUDD. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, the provisions of this bill (S. 937) for the relief of the parties who are named in sections (c) and (d) on page 2 are unobjectionable; but this proposal to pay the man Bailey \$3,024.38 under the undisputed facts so far as we can consider them facts is a monstrosity. Only last week as a member of the Committee on the Judiciary of the House I had in my hands a bill introduced by the gentleman from New York [Mr. GAMBLE], to pay \$5,000 to the family of a man named Barnett, who was a sailor on a United States ship of war. He drew \$50 from the paymaster on his ship and went ashore in the Philippines with the money in his pocket. He went to a restaurant, got a sandwich, went on the outside of the building and sat down. Three colored men in the uniform of American soldiers approached him and killed him. But we denied any recovery because those American soldiers, if they were such, when they killed that American sailor were not in line of their duty. There was no equitable or legal ground upon which we could base a recovery.

Now, what was Bailey doing. Bailey and his companion came over here and saw fit to come ashore in Seattle. This was 10 years ago, not in wartime. They went ashore and got themselves a couple of girls, Rosie and Norma. They were treading the primrose path of dalliance with these American girls. They met this fellow who ultimately came into the room where they were drinking and eating. He had met these two fellows and the two girls. He went over and pulled up his chair and sat down near Bailey. Just what happened, nobody knows. Ordinarily Americans do not hit another fellow just to be hitting him. But there were two girls there. They were in a drinking and eating place. The American broke the bottom off a tumbler and threw the glass in the Britisher's face. It cut out one of his eyes.

Now, it is stated that this is based on justice. There is no principle of law, international or national, that will justify this Government making an appropriation for a foreign sailor under circumstances and facts like that. We just do not do it.

Mr. Chairman, only last week we turned down a bill, and I refer to members of the Committee on the Judiciary, introduced by our good friend from New York [Mr. GAMBLE], because we could not see any legal or equitable ground upon which to pay for the death of that man. It was just a fight between members of our own armed forces. Here is an American sailor who had previously seen these two fellows with these two girls. He goes over where they are. Something happens. Nobody knows what happened. There is not a syllable of evidence in this record that justifies any award in this case. It is just not right. When a man goes out with a woman on foreign soil he is courting danger.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Minnesota.

Mr. JUDD. There were three witnesses to the fight who said that the American without provocation just picked up a glass, broke it, and threw it in the other man's face.

Mr. JENNINGS. There is no evidence of that.

Mr. JUDD. All the evidence there is is to that effect. It was an assault, not a fight.

Mr. JENNINGS. It was just a fight. Now, I have a report right here from the Senate committee in which it is said that they were embarrassed to even make the report, but they did it at the importunity of representatives of the State Department.

Has it come to the point where we are going to treat the British better than we do our own people? We do not owe a dime in this case. It is setting a dangerous precedent. The Senate states in its report that if two American soldiers had gone out and had a fight over a girl, there would be no remedy and nobody would have thought of giving them anything.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KEE. Mr. Chairman, I yield 10 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I do not have to be a lawyer to see the justice of this particular claim. It is true that in committee the Stoker Bailey case was the only one which caused any difficulty among the membership. However, before I go into that I want to call the attention of the House to the fact that the distinguished gentleman from Tennessee [Mr. JENNINGS], who just preceded me, referred incorrectly to the Senate report as a secret document. There is nothing secret about it. It is open for anyone and everyone to see and peruse.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Here is the document. It is marked "Confidential." It says: "The committee notes particularly the claim asserted on behalf of John Bailey as set forth in paragraph (a) of the bill and reluctantly recommends its approval."

Mr. MANSFIELD. Mr. Chairman, I refuse to yield further just for the purpose of reading that document. Here is the Senate report.

Mr. JENNINGS. I know; I have seen that one. That is a camouflaged, toned-down one. I have the confidential one here.

Mr. MANSFIELD. Mr. Chairman, this is Calendar No. 100, Report No. 117. It is not confidential. It is for anyone to see and read, and the part which the judge referred to is included in it.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. When I get through I will be glad to yield.

Mr. JENNINGS. I think the gentleman ought to yield to me. I have always been courteous to the gentleman. I have handled his bill and I have handled them fairly, and I resent the unfair statement at the gentleman's hands that I am not stating the facts. I have it here in black and white.

Mr. MANSFIELD. The gentleman from Tennessee has always been more than courteous to me and I deeply appreciate it. If the gentleman will pardon me, though this Senate report I have in my hand is not confidential, and it carries the same information on page 5 that the gentleman refers to in the report he is reading from. If the gentleman has a question on this particular report I will be glad to yield to him at this time, but I just want to bring to the attention of the House that this was not a confidential report issued by the Senate Foreign Relations Committee.

Mr. JENNINGS. I have got that report, too.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from California.

Mr. JOHNSON. Will the gentleman tell us whether the facts in the confidential report are stated in the report that the gentleman says is the public one?

Mr. MANSFIELD. May I say to the gentleman that I have not seen a copy of the confidential report. This is the only one I know about.

Mr. JOHNSON. It has no reference to any other report that was confidential, has it?

Mr. MANSFIELD. No; not that I know of. This is the only report I have here and this contains the same information that the judge brought to our attention.

Mr. JOHNSON. I simply want to get the facts.

Mr. MANSFIELD. Surely.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Florida.

Mr. SMATHERS. In the report that the Senate put out, and which was not confidential, is exactly the same language to which the judge refers. I do not know what he has, but the official report is not confidential.

Mr. MANSFIELD. Maybe the gentleman from Tennessee has a copy of the report before it was released by the Senate committee.

Mr. HILL. Mr. Chairman, I think this is worth listening to, and I make the point of order that a quorum is not present. Let us have the Members of the House present to listen to this argument so that they will know what they are doing when it comes to a vote.

The CHAIRMAN. The Chair will count. (After counting) 60 Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 124]

Abbott	Halleck	Pfeifer,
Addonizio	Hand	Joseph L.
Auchincloss	Harrison	Pfeiffer,
Bailey	Hays, Ark.	William L.
Barrett, Pa.	Hébert	Philbin
Biemiller	Heffernan	Phillips, Calif.
Beall	Heller	Phillips, Tenn.
Blackney	Hinshaw	Pickett
Bland	Hoeven	Plumley
Blatnik	Hollfield	Poulson
Bolling	Howell	Powell
Boykin	Irving	Quinn
Buckley, N. Y.	Jackson, Wash.	Ribicoff
Bulwinkle	Javits	Rich
Burke	Kearns	Richards
Burnside	Kelley	Riehlman
Burton	Kennedy	Rivers
Canfield	Keogh	Rodino
Carnahan	Kilburn	Roosevelt
Cavalcante	Klein	Sabath
Chatham	Kunkel	Sadiak
Chudoff	Lane	Sadowski
Clemente	Latham	St. George
Clevenger	Lichtenwalter	Sasser
Corbett	Lodge	Scott, Hardie
Coudert	McConnell	Shafer
Davies, N. Y.	McGrath	Sheppard
Delaney	McGregor	Simpson, Pa.
Dingell	McMillen, Ill.	Smith, Ohio
Dollinger	McSweeney	Staggers
Dondero	Mack, Wash.	Stigler
Donohue	Marcantonio	Taber
Douglas	Merrow	Tauriello
Elston	Miller, Calif.	Taylor
Fogarty	Miller, Md.	Thomas, N. J.
Fulton	Miller, Nebr.	Vorys
Furcolo	Mitchell	Wadsworth
Garmatz	Morrison	Walsh
Gary	Morton	Weichel
Gilmer	Multer	Welch, Calif.
Gorski, N. Y.	Murdock	Werdel
Granahan	Murphy	Whitaker
Green	Murray, Wis.	Woodhouse
Gwinn	O'Neill	
Hall	O'Toole	
	Edwin Arthur Patterson	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 937, and finding itself without a quorum, he had directed the roll to be called, when 297 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. MANSFIELD. Mr. Chairman, at the time the point of no quorum was made, I was engaged in a colloquy with the gentleman from Tennessee, [Mr. JENNINGS]. The gentleman from Tennessee had called to the committee's attention a report which was put out by the Senate Committee on the Judiciary and which was marked "Confidential" and that particular part of the report which was included in the report made public at a later date contained the following information which the gentleman from Tennessee wanted the committee to keep in mind. I am now quoting

from that report and from the later report:

The committee notes particularly the claim asserted on behalf of John Bailey as set forth in paragraph (a) of the bill and reluctantly recommends its approval, only because of a lack of desire to embarrass the representatives of the Department of State in their negotiations with the representatives of the United Kingdom. There is no doubt that had this altercation occurred between two citizens of the United States or a civilian citizen of the United States and a member of the naval service that no relief would have been afforded the injured party by Congress or any other agency of the Federal Government. This appears to be a private fight engaged in by two men while neither of them were engaged in any official capacity whatsoever.

Mr. Chairman, in committee we had no particular trouble with the last three claims in this bill.

We had considerable argument, however, over the first case named in the bill, the Stoker Bailey claim. It is the one discussed last in the committee report.

To many of us the case looked novel. Some of us, though perfectly sympathetic with the claimant, wondered whether there was any incumbency upon the United States to redress the wrong done.

As we studied the case closely, the issues emerged in clearer outline. It was then apparent that this case, rather than being doubtful, was one of peculiar merit.

Stoker Bailey, a youthful member of the British Navy, was done a brutal wrong just 10 years ago lacking 1 week. The committee's report outlines the circumstances. I shall not repeat them in full here. The main points are these:

He lost his eye as the result of an unprovoked attack.

The attack took place on American soil at Seattle, Wash.

The attacker was a seaman of our Navy. He was tried forthwith before a summary court and was acquitted.

This acquittal put him beyond reach of further punishment under the constitutional ban on double jeopardy.

The trial was held without delay. An ensign was the sole officer of the court. The preferred charge was merely that of disturbing the peace—an odd understatement of the occurrence in which one man had suddenly assaulted another by jamming a broken glass into his eye.

A reviewing officer of the Navy called it a miscarriage of justice. That reviewing officer happens now, 10 years later, to be the Judge Advocate of the Navy, Admiral Colclough.

The Navy Department upheld the view of the reviewing officer. It invited the victim to seek redress through diplomatic channels. The Department has repeatedly supported an award for Stoker Bailey when the case has come before the committee.

Many of us have dealt with cases, particularly involving constituents, in which there appeared to be an abuse of justice against the enlisted man. But this is a case of precisely the opposite character—a case in which the wheels of justice were reversed so as to carry a seaman beyond the reach of condign punishment.

The Navy Department has sought to do the only right thing—officially to acknowledge the wrong and have this Government make restitution to the victim.

Certainly the Congress should show an equal zeal for the reputation of American institutions.

This is a clear case to resolve once the issue is clear. It turns on only one question. What line of action is in accord with the dignity of our country—to show grace to the injured man or to show him a niggardly unconcern?

It is beside the point to say that this case would have no standing if Stoker Bailey had been an American national. It is beside the point to say that this was a private fight.

This case rises from the principle of denial of justice. It is the principle of international law that holds a sovereign government responsible to failure to punish one of its nationals for wrongful acts to aliens under its jurisdiction.

We, above all, should show a zeal for upholding that principle. You may say that, under that principle, an alien may have more protection on our shores than one of our own citizens. And so it may be.

But the principle works two ways. We want our nationals in many cases to have more protection of the law abroad than is vouchsafed the natives. Regardless how a foreign tyrant may deny justice to his own people, we want him held responsible for protecting Americans who may come within the reach of his power.

If we want it to apply one way, we have to allow it to apply the other way also.

It is in our own substantial interest to pay the Bailey claim.

Even if it were not, we should still allow it. For to deny it would be incompatible with the dignity of our Nation.

I repeat that the wrongful act occurred a decade ago. We have been overlong in making an award. The House should pass the bill without further question.

Mr. JUDD. Mr. Chairman, I yield myself 8 minutes.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Are any copies of the hearings on this bill available?

Mr. JUDD. I shall have to ask the Clerk whether the hearings were printed. We held hearings on it, but I do not know whether they were printed. He indicates they were not. They are available in the committee room.

Mr. Chairman, a few weeks ago we debated a bill to provide payment to Switzerland for damages which were inflicted on certain cities and people in Switzerland by American planes. It became apparent from that debate that many of the Members believe that international claims are something on which the United States does all the paying and none of the receiving. Two Members have raised the question with me here today: "Why are we always giving out and never getting anything back in these affairs?"

I have here some information on that which I think will be of interest from the

standpoint of the bill as a whole, before we get into the specific controversial case which the gentleman from Tennessee has brought up—and understandably controversial—the Bailey case.

Mr. Chairman, I suppose the basic reason why we are unaware of how much the United States receives in claims is because of the fact they are not handled by the Congress, whereas all those made by the United States to other countries have to be made by act of Congress. Therefore, the only ones that came to our attention are those we pay out. Naturally we get the impression that this international claims business is a one-way street—Uncle Sam always giving.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. AUGUST H. ANDRESEN. The last time I heard of the United States getting anything is when the *Panay* was sunk by the Japs and they paid something like \$20,000 for the damage done.

Mr. JUDD. I think it was something over a million dollars, but I do not recall the exact figures.

Mr. AUGUST H. ANDRESEN. That is the last time I ever heard of us getting anything.

Mr. JUDD. That illustrates my point. There are two types of claims—war claims and nonwar claims. These are nonwar claims. Under our laws the Department of Defense can pay claims growing out of operations during war. But a nonwar claim from an alien has to come to Congress just like a bill for the relief of a private citizen, who has a claim against the Government. That requires an act of Congress, or did until the passage of the Reorganization Act in 1946.

Actually our record on the payment of international claims is one of comparative remissness, due principally perhaps to the very fact that they do require congressional action and they are frequently pushed aside by other legislation. For example, consider the time lag in these claims. One of them arises out of an incident which occurred over 10 years ago. In another case, 4 years ago; in a third case, 5 years ago; and in the fourth case, 4 years ago. Some of us on the committee were interested in the circumstances of the claims settlements in which American nationals were the ones receiving redress. Because three of these claims apply to Great Britain or its nationals, it is interesting to see what our record has been in comparison with Great Britain's.

In England the executive has the power to make such settlements without the action of Parliament. Here are some instances of how the British have treated the United States on claims presented in behalf of our private citizens. There have been many such in the last century and a half. Great Britain, on many occasions, has made immediate restitution for wrongs done to American nationals, without even waiting for the presentation of the claim.

Let me cite some examples. On December 28, 1914, some Canadian border guards challenged some American duck

hunters on the international waters between the United States and Canada. We, in Minnesota, have plenty of duck hunters in those waters each year. The guards jumped the gun, fired precipitantly and killed two American hunters. Ten days later the British Government, without being prompted, by formal presentation of a claim, announced that they would pay \$15,000 to the surviving relatives. On February 13, less than 2 months later, they announced completion of the payment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. AUGUST H. ANDRESEN. That was the Canadian Government, was it not?

Mr. JUDD. At that time it was not independent, as I recall, and was still under the English crown.

Mr. HESELTON. Mr. Chairman, will the gentleman yield for a question?

Mr. JUDD. I yield.

Mr. HESELTON. Those guards, however, were on official duty.

Mr. JUDD. Yes; but there are some cases in which those responsible for the damage were not on official duty.

On March 20, 1915, an American aboard a boat in Bermuda waters was fired on by a British sentry, who believed that he was entering a prohibited area. The American was injured. On April 19, 1 month later, the British announced that they would make restitution, although the United States had not even presented a claim in behalf of the American.

On July 7, about 6 weeks later, the British Government paid the American \$26,000, and he had not been killed—just injured.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. SCRIVNER. Those cases are perfectly satisfactory as precedents when you are talking about the killing of these seamen over in China waters, but the gentleman has not yet cited a case where two people, one an American national, and another a national of a foreign country, got in a fight and the other country paid us.

Mr. JUDD. Well, I will read you a couple of those, if you want them.

Mr. SCRIVNER. I would like to have you do so.

Mr. JUDD. Here is such a case in which we have paid. In Oklahoma, in 1931, two Mexican students, Gomez and Rubio, were fatally shot by a police officer. The officer was tried. He was acquitted. Yet by an act approved February 25, 1933, the Congress appropriated \$30,000 for payment to the families of these two men.

The American police officer in Oklahoma was acquitted, but it became clear that there had been a miscarriage of justice, and the United States Congress assumed the responsibility and paid the claim.

Here is another example: On March 14, 1891, 11 individuals of Italian origin were killed by a mob in New Orleans. On May 5, 1891, the grand jury made a report excusing those who participated in the attack. No one was indicted. No

one was tried. No one was punished. But Congress authorized and appropriated approximately \$25,000 to pay an indemnity of 125,000 francs. In tendering this to the Italian Minister in Washington Secretary Blaine observed that while the injury was not inflicted directly by the United States, "the President nevertheless feels that it is the solemn duty of the United States Government to pay a satisfactory indemnity."

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEEFE. The gentleman is reading from a memorandum. I would like to know whether the memorandum he is reading from is a confidential report to Hon. A. A. Rubicoff, from Mr. C. B. Marshall.

Mr. JUDD. Yes; that is the one I am now reading from.

Mr. KEEFE. On the literature of the Foreign Affairs Committee?

Mr. JUDD. Yes.

Mr. KEEFE. I assume I can refer to that without violating any rules of confidence?

Mr. JUDD. Certainly you can, because the staff of the committee prepared this data. We expected this question to be brought up, and we asked our staff to assemble the precedents, where we had been on the receiving end as well as where we had been on the giving end.

Mr. KEEFE. It is marked "confidential."

Mr. JUDD. It was marked "confidential" by Mr. Marshall when he prepared it because it had not at that time been presented to the committee.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. JUDD. I yield myself three additional minutes, Mr. Chairman.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. SMATHERS. As a matter of fact, I gave that to the gentleman from Wisconsin [Mr. KEEFE] without any restrictions on its use whatsoever.

Mr. JUDD. Yes, I am sure it is normal that material prepared by a staff member is confidential until it is released or used by one of the members of the committee.

Let me summarize this matter of non-war claims. Since World War I we have received \$94,336,000 in claim settlements, exclusive of war claims. The figure includes the Mexican claims settlement, on which Mexico is still paying annual installments. In the same period during which we received \$94,000,000 we have paid out \$13,650,000. That includes \$13,000,000 for claims involving shipping seizures, which might technically be considered war claims. In terms of the narrowest technical basis, we have received in a 30-year period \$94,000,000 and have paid out \$650,000 in nonwar claims. That is a ratio of 145 to 1.

Even if you count in the \$13,000,000 paid by us to Norway for shipping claims, which could be considered war-claims settlement growing out of World War I, the balance is more than 7 to 1 in favor of the United States.

So I do not believe the charge can be made, in debating this bill, that the

United States is being "Uncle Sap," or being overgenerous, or being taken for a ride. The bill is justified as a matter of international law and there are ample international precedents.

Consider the three possibilities for handling such a claim. First, the damaged person could bring his claim directly, but even though that is legally possible, how many have the financial resources to bring a claim against the United States?

The second course would be to have an international tribunal arbitrate the matter between the two governments. But surely the United States does not want to go to the expense and the time-consuming process of setting up an arbitration tribunal to handle claims of this size, as was done in the cases where we had large claims against Mexico and Panama.

The only other way that followed in this bill. When the evidence indicates there has been a miscarriage of justice or a denial of justice, the Congress should follow the recommendation of its own departments and pass the bill to grant the claims as a matter of justice and of dignity.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. BECKWORTH. The gentleman refers to the amounts of money which our Government obtained from other governments. Would you mind commenting on whether or not that money remained in the coffers of our Treasury, or did it go to individual businesses and people?

Mr. JUDD. These claims, such as I have been reciting, all went to the individuals who had been injured or damaged or to the relatives of those killed. My point is that American citizens abroad have received more from governments where they suffered damages than citizens of other countries have received from us for damages received at the hands of American citizens, either on duty or in private capacity.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEEFE. The gentleman has referred to this large number of claims which have been settled with American citizens. The gentleman has read from this memorandum submitted to the Committee on Foreign Affairs. He did not, however, read the language of this memorandum which states:

The instances I have cited were involved in juridical settlements.

Mr. JUDD. That is right.

Mr. KEEFE—

They are different in that respect from the Bailey case.

Mr. JUDD. That is right.

Mr. KEEFE—

The latter has not been adjudicated by any international tribunal.

Mr. JUDD. I have just discussed that, I may say to the gentleman. We could have handled the cases in this bill by international tribunals. But what would be the reason for going to all that trouble and expense when we already admit the

claims are just, and when the amounts involved are so small? I have already given instances of where on the application of a government whose national had been injured by an American who was not properly punished, the United States paid the claim without its being adjudicated by an international tribunal.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. JUDD. Mr. Chairman, I yield myself two additional minutes.

Mr. KEEFE. It would seem to me that the gentleman ought to refer to the authorities cited in this opinion, especially the authority cited by Mr. Green Hackworth, which is listed as an authority for this case. I submit that if the gentleman reads it he will come to the conclusion that it is an authority for the denial of this claim rather than an authority for granting it; because, under the facts which the gentleman has given, the shore patrol picked up this man; he was summarily tried by a court martial, and this ended the legal aspects of the case; he could not be tried again.

Mr. JUDD. That is correct; he could not be tried again. But that does not relieve us of responsibility if the man was unjustly acquitted.

Mr. KEEFE. This Government did everything it could do to prosecute this individual, and he was found not guilty. Under those circumstances, we are asked to go behind that court-martial finding. I wish to ask the gentleman: Had that court martial found this sailor guilty would there be any basis for such claim here?

Mr. JUDD. I believe so.

Mr. KEEFE. Under the authorities here would there be any basis for such claim at all?

Mr. JUDD. I think there would be.

Mr. KEEFE. Then the gentleman is in complete disagreement with the authority he has cited to this House; and I will take the time to explain it if I can get it.

Mr. JUDD. May I strike out what I said. I did not get the purport of the gentleman's question. He is right, because the principle here is that justice had not been done. If justice had been done by conviction and punishment the claim would not be valid. But the Navy admits that there was a miscarriage of justice in this case. The bill came before us because the Navy reviewing authority found that justice had not been done, and it initiated action with the Department of State to permit payment of the claim. The Department of State approved and sent it up here to have us clear this blot from the record of justice of the United States.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HALE. As I read this bill it contemplates a cash payment by our Treasury to His Majesty's Government; is that correct?

Mr. JUDD. Yes; it is a claim of the British Government, but it is on behalf of John Bailey; the money is to go to him.

Mr. HALE. Of course. But why, when there is indebtedness, to put it

mildly, a very substantial indebtedness on the part of His Majesty's Government to the United States, why should not His Majesty's Government take care of His Majesty's subjects, and the thing be handled as an open account, a credit?

Mr. JUDD. I suppose there would be considerable difficulty in getting lend-lease, the British loan, or the ECA mixed up in a private claim. The gentleman doubtless has equity on his side, and he is an eminent lawyer. I do not know whether the technique of payment he suggests is feasible or not.

Mr. HALE. The British Government can certainly take care of its own subjects.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. KEE. Mr. Chairman, I yield myself 2 minutes.

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. KEE. Mr. Chairman, four claims are presented by the pending bill, three through the Ambassador and foreign representative of the British Government for British nationals, and one coming through diplomatic channels from the Norwegian Government. The claims, altogether amount to the sum of twenty-three thousand three hundred thirty-four dollars and some cents.

The claim of Stoker Bailey, which has been very much discussed here, is the only controversial section of this bill. As a matter of fact, the circumstance that the man who injured Bailey was not convicted of an assault or of an offense has nothing whatever to do with the civil liability of any person because of the injury Bailey received. In order to convict a man of assault with intent to kill or to do great bodily harm, it is necessary that the element of intent be shown. Before a court you must prove felonious intent and that the injury was inflicted maliciously. Whereas, in order to establish civil liability, there need not be any proof of intent nor proof of malice. You merely prove that the injury was caused by lack of ordinary care or because of negligence. Therefore the question of intent or malice or the non-conviction or conviction of the man responsible for the injury has nothing to do with it.

Mr. Chairman, this bill has been reported by the committee after due consideration, it should be passed and these claims paid.

Mr. EATON. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, this is an illustration of how sometimes a matter which involves only a few dollars raises a question that some of us want answered because of the establishment of a precedent. It is a rather strange thing to have brought before this committee a confidential memoranda written by some attorney for the State Department in an attempt to justify this particular Bailey claim.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Minnesota.

Mr. JUDD. Is the gentleman referring to the memorandum by C. B. Marshall?

Mr. KEEFE. I am referring to that memorandum.

Mr. JUDD. He is not an attorney for the State Department. He is one of the professional staff of the Committee on Foreign Affairs.

Mr. KEEFE. I am glad to know that.

Mr. JUDD. I said so once before.

Mr. KEEFE. I did not know that, but it does not make any difference who he is or what he is. He furnished the report and the report speaks for itself if anybody will read it. It is not subject to the garbled comment that has been made by distinguished members of the Committee on Foreign Affairs, in my humble opinion.

This is an attempt to fasten upon this Government by a very tortuous method of reasoning a liability that does not exist under any law, international or any other law, and I defy anybody to point to anything in this opinion to refute that statement.

He cites three authorities. Let me read one of them. He quotes from the 1895 edition of a work on international law:

It would be unfair to put upon the state the burden of the consequences of acts which it never incited or permitted, but it is, nevertheless responsible for the acts of its nationals in this way, that it must not, even by taking no action, protect or favor injustice. Any connivance on its part is enough to make it personally responsible.

Then he points it out in this way:

If a nation should refuse or fail to pass the laws necessary to restrain its citizens from aggressions upon other states, or upon their citizens, or if, such laws being enacted, the officers of the state neglect to enforce them, the state is unquestionably responsible for the injury.

Here is the next one, quoting Hackworth:

The mere fact that an alien has suffered at the hands of private persons an aggression, which could have been averted by the presence of a sufficient police force on the spot, does not make a government liable for damages under international law. There must be shown special circumstances from which the responsibility of the authorities arises.

What is the attempt here to disclose special circumstances? The special circumstances that they disclose are that this man who assaulted Bailey was tried by a summary court martial and was acquitted. Now, the Navy Department comes back in response to the diplomatic question, when diplomacy is involved, and says that the summary court martial was a fraud; it was contrary to justice, and "although the Navy cannot go behind it, they can come to the Congress now, because that court martial did not convict the man who assaulted Bailey, and therefore we must pay Bailey."

Now, I have asked the question "Had that summary court martial convicted Bailey, would this claim be here? This opinion indicates that the answer should be no. There would not even be a claim here if he had been convicted and served even 10 days in the brig. But, because it is alleged that the court martial failed

to convict him, therefore the Government of the United States in some way has failed to protect this alien's rights. Now, there is no question but what the alien had a perfect right to sue the seaman who assaulted him.

Mr. JUDD. Mr. Chairman, I yield the gentleman one additional minute in order to read to the Committee the remainder of the quote from Mr. Hackworth. The gentleman asked about special circumstances, and Hackworth defines the special circumstances as follows:

Either their behavior in connection with the particular occurrence, or a general failure to comply with their duty to maintain order, to prevent crimes or to prosecute and punish criminals.

The last is the special circumstance in this case.

Mr. KEEFE. That is exactly what the Navy did. They prosecuted this fellow for his crime under the established law of the Navy. He was prosecuted in a summary court and he was acquitted. There must have been a lot of facts presented in that summary court martial that do not appear here. I think if the facts were really known it was probably a barroom brawl in the tavern and Bailey got his eye injured in the brawl. That is the way it looks to me. That is the way these things always happen. Now, my people are being asked 10 years later to pay this man, and I find nothing in the law that would justify it.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. JUDD. Mr. Chairman, I yield the gentleman one additional minute in order to comment on his statement. I just want to add to what the gentleman has said that the Navy itself recognized that justice had not been done, and on its own initiative suggested that justice be done by reimbursing this man for the loss of his eye and his livelihood. The gentleman will not deny that once in a while, in a summary court martial as in other courts, injustice is done, and this is the only way in this case to correct the inequity that has been done, because you cannot call a man in and put him in jeopardy a second time for the same offense. Surely the gentleman is in favor of the principle of rectifying an injustice when discovered, even though it was done in a regular procedure and without suggesting that anyone in the court martial acted improperly.

Mr. KEEFE. Who is there that can say there was an injustice except the reviewing officer who passed on it?

Mr. JUDD. I cannot and the gentleman cannot. But the reviewing officer can and he is the one who said there was an injustice.

Mr. KEEFE. He passed on it after it was an accomplished fact and he could not go back of that summary court. The gentleman knows that as well as I do.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Montana.

Mr. MANSFIELD. I should like to read from the hearings of the Seventy-seventh Congress the testimony by Commander Colclough, who at the present time is the Judge Advocate of the Navy.

Mr. JUDD. He was the reviewing officer.

Mr. MANSFIELD. Commander Colclough said:

However, the convening authority, who was the man's commanding officer, and ordered the court martial, and the Navy Department agree that his acquittal was a miscarriage of justice. The Navy Department has gone on record to that effect. There is nothing more that could be done. He was tried by a duly constituted court and acquitted on the charge of engaging in a fight and disturbing the peace.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from New York.

Mr. KEATING. Did the Committee on Foreign Affairs in their consideration of this have any of the evidence of the court martial before it?

Mr. JUDD. No, we did not go back of that court. How could we go back of that? We had to take the conclusions and the advice and the recommendations of the United States Navy which had reviewed all the evidence, including the testimony of the original convening authority. This bill is the result of the Navy's findings.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to effect full and final settlement of the following claims against the United States:

(a) Claim of the Government of Great Britain in the sum of £750 (\$3,024.38) on behalf of John Bailey of His Majesty's ship *Orion* arising as a consequence of personal injuries inflicted upon him by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939;

(b) Claim of the Government of Great Britain in the sum of £3,000 (\$12,097.50) on behalf of the parents of the late J. D. Wiggins, of the British vessel *Sambre*, arising out of the death of the latter as a consequence of shots fired by John B. Coyne, United States Navy, an armed sentry aboard the United States ship *Carter Hall* at Shanghai, China, on November 23, 1945;

(c) Claim of the Government of Great Britain for reimbursement in the sum of £721.05 (\$2,907.52), representing the pro rata share of the United States of the sum paid to the Government of Spain by the Government of Great Britain, as a consequence of damages caused in the bombing of the Spanish vessel steamship *Christina* at Sete, France, in an attack by joint air forces of the United States and Great Britain, respectively, on June 25, 1944; and

(d) Claim of the Government of Norway in the sum of 19,650 patacas (\$5,354.63) on behalf of Trygve Jorgensen, arising out of personal injuries sustained when the ship *Masbate*, of which he was captain, was attacked in the harbor of Macao by United States military aircraft on February 25, 1945.

In all, \$23,384.03; together with such additional sums due to increases in rates of exchange as may be necessary to pay claims in the foreign currencies as specified in the claims.

Mr. KEE (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

Mr. JENNINGS. I object, Mr. Chairman.

The Clerk concluded the reading of the bill.

Mr. JENNINGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENNINGS: On page 1, strike out lines 8 to 12, inclusive.

Mr. JENNINGS. Mr. Chairman, this amendment does not propose to eliminate this provision of the bill. I cannot in good conscience vote for the \$12,097.50 in the bill, and I do not believe you can or will if you get the facts.

I have served on the Committee on Claims in this House for more than 9 years, and I believe I have handled bills for perhaps a majority of the Members of this House. I always go just as far as I can under the law, in equity, and in good conscience upon the facts in favor of a meritorious claim. The other day I reported on a bill for the benefit of the estate of a United States sailor. His name was Barnett. He was in uniform. He went ashore in the Philippines with \$50 of his pay in his pocket. He was assaulted and killed by three colored men who were in the uniform of the United States Army. It was a private brawl. I could not, in good conscience, favorably report that bill.

Here is a claim that is 10 years old, where two British sailors are ashore in Seattle and attach themselves to two girls. The girls may have been as pure as the driven snow, but they were easy to get acquainted with. One gave the name of "Norma," and the other said she was "Rose." At any rate, this English sailor ran into this American sailor and they evidently had some trouble over the girls. It is always dangerous, from my reading of history and from my observation of mankind, for a man on foreign soil to undertake to tread the primrose path of dalliance with a lady too easy to get acquainted with. This is the first time in the history of this country that the national of any foreign country has asked this country to pay him an indemnity when he goes on an expedition of that kind, loses an eye, or anything else. This is a dangerous precedent. They do not bring any evidence here to substantiate this dubious claim.

I am English by descent and by sympathy. I have voted for the flood of dollars which has been poured into Great Britain. Let Britain use some of the money we are paying her daily to pay this man. But let us keep this \$3,000 here at home. This sum of \$3,000 represents at least 50 pretty good young steers, and I do not know how many dozens of eggs or how many pounds of butter. Do not commence paying bills like this. You will set a premium on misconduct.

Mr. HESELTON. According to the interpretation made by the gentleman from Minnesota of this case, because there was an acquittal by a court martial, would this not be a precedent with reference to suits of foreigners in our civil courts where there was an adverse decision that this country should pay indemnity to foreigners?

Mr. JENNINGS. Yes. It might.

Mr. CHIPERFIELD. We defeated this bill several times in our committee.

Mr. JENNINGS. Mr. Chairman, here is a member of the Committee on Foreign Affairs, who recalls that this is a fly-specked bill that has been kicking around here for 10 years. Surely this House does not wish to say to sailors from all over the earth, if they come over here and get in a private brawl over a lady who is known only by her first name, they, if injured, can collect damages from Uncle Sam. The law should be, and I believe is, that a man assumes the risks incident to that kind of an expedition. He voluntarily enters on the quest and if the going gets rough, the decent people of this country should not have to respond to him in damages for anything that happens to him.

Mr. SMATHERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Tennessee went to great lengths to condemn the Committee on Foreign Affairs claiming that we were inferring certain conclusions and doing so without proper evidence. And yet he has been quite facetious and I think most reckless in inferring that merely because a young man comes to this country and has a date with a woman that the woman is of easy virtue and not a proper person to go around with. I do not think the gentleman from Tennessee has any evidence to that effect. I do not think he could now or in the future possibly get any substantiation of his inference and charge. Certainly it is not right and it is not proper to stand here in the Congress of the United States and through innuendo and subtle hint suggest that just because a man comes here from a foreign country and has a date with some American girl that automatically that means that the woman is of easy virtue. The gentleman from Tennessee knows nothing of the women involved in this case, and it is not right therefore to question their characters.

We are not trying to establish any new procedures here. As a matter of fact, this procedure of a government paying and assisting an alien who has come into its territory and who has been grievously assaulted and injured by a citizen of that government, where there is no practical remedy for the alien and he cannot get any recovery or compensation, is an ancient and well-established principle and the Government considers that it is its proper responsibility.

I am going to read you some of the authorities that there are, on this point. These are the best known authorities on international law, and I want you to listen to what they have to say.

Here is an eminent authority, Mr. Bluntschi, speaking:

It would be unfair to put upon the state the burden of the consequences of acts which it never incited or permitted. But it is nevertheless responsible for the acts of its nationals in this way, that it must not, even by taking no action, protect or favor injustice. Any connivance on its part is enough to make it personally responsible.

Here is another eminent authority, Mr. Halleck:

If a nation should refuse or fail to pass the laws necessary to restrain its citizens

from aggressions upon other states or upon their citizens, or if, such laws being enacted, the officers of the state neglect to enforce them, the state is unquestionably responsible for the injury.

Let us look further here and see what has happened.

In 1894 an American citizen named Frank Lenz was murdered in Turkey. This Government sought redress from Turkey, and I quote the relevant instructions from our State Department to our envoys:

If the murderers had been duly punished, this Government would not have felt disposed to demand the payment of an indemnity. The evidence shows a deliberate, premeditated murder, yet the judgment was rendered against the murderers for "murder without premeditation." And even this penalty was not actually inflicted for the guilty parties escaped. It is hoped, in view of the enormity of the offense and the miscarriage of justice, that the Turkish Government will pay a reasonable indemnity.

Turkey did so. The parents of the murdered man received \$7,500 in redress of the wrong.

We had another case in Mexico, where some students of ours went down there and became embroiled in an altercation with some local people and they were killed. The Mexican Government appropriated \$30,000 to the families of the murdered boys.

There are several other instances which I shall not take the time to read. They have been pointed out to you by the gentleman from Minnesota [Dr. Judd].

Bailey had no other practical remedy in his case. It has been charged that he should have gone to the International Court of Claims for his remedy. Why? We had admitted our guilt. The Navy had admitted it. The State Department had admitted it. Why is it necessary to argue a claim when one side already admits it is guilty? The Government, from the Navy Department right on down, has admitted its guilt. The Navy Department has asked now that justice be invoked by giving this amount to Stoker Bailey. The precedent for so doing is well established.

By adopting this amendment we save the Government \$3,000. Our United States citizens have gotten on claims similar to this \$94,000,000. We have paid out on claims like this \$13,000,000. We are likely today to perform an act which will destroy a precedent which in the future has given our citizens and our Government protection in the past and will do so in the future; a precedent which has given us \$94,000,000 as against \$13,000,000, and here now we are about to destroy the precedent mainly because we do not seem to understand it.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SMATHERS] has expired.

Mr. JUDD. Mr. Chairman, I move to strike out the last word in order to make one observation.

The gentleman from Wisconsin asked how it was that the Foreign Affairs Committee did not have the facts upon which the Navy's reviewing authority made the decision that there had been a miscarriage of justice. I have been here 7

years, and I have never yet seen any Government department or bureau admit voluntarily that it had made a mistake unless it really had done so. When the United States Navy says there had been a miscarriage of justice in its own court martial, is it reasonable to suppose that there had not been a miscarriage of justice?

We should vote down this amendment. To vote for it does not hurt Great Britain. It does hurt the United States. I do not want to be party to a disservice to my own country, and especially when to do that requires flying in the face of the findings of one of its own departments, which certainly would not be condemning itself if it were not guilty.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there has been a lot of talk indulged in by members of the Foreign Affairs Committee. I have in my hand the hearings on this bill. Here they are. Do you know what these hearings amount to? They are just a simple statement on the part of the chairman that "Here is the bill," and there is a little discussion among the members about it, and it finally winds up with a little statement by a Mr. Benedict M. English, assistant legal adviser for the International Claims Division, Department of State.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. In just a moment. The gentleman would not yield to me and I had to take this time to answer.

I have also been referred to the hearings before the Committee on Foreign Affairs of the Seventy-seventh Congress on this claim. That was handed to me as being the basis for this claim. You will recall that somebody read out of this on page 4 a statement of Commander Colclough, who, it was said, finally became the high cockalorum in the Judge Advocate's Division of the Navy and, therefore, it is presently authority. Now, listen to what this man said, and it is funny that the members of the Committee on Foreign Affairs did not read this to you:

The CHAIRMAN. And he was a British subject?

Commander COLCLOUGH. He was a British subject, a former stoker of His Majesty's ship *Orion*.

The American sailor was tried by one of our forms of courts martial, known as a summary court martial. He was acquitted and thus placed in jeopardy, so cannot be tried again.

However, the convening authority, who was the man's commanding officer, and ordered the court martial, and the Navy Department agree that his acquittal was a miscarriage of justice. The Navy Department has gone on record to that effect. There is nothing more that could be done. He was tried by a duly constituted court and acquitted on the charge of engaging in a fight and disturbing the peace.

The CHAIRMAN. Who has lost his eye?

Commander COLCLOUGH. It had to be removed; yes, sir.

The CHAIRMAN. Commander, notwithstanding the fact this American sailor was acquitted by court martial, the Navy Department feels today that some justice should be done to this British sailor and he should be given this \$3,000 that is provided for in this legislation; is that right?

Commander COLCLOUGH. That's right, sir. Mr. EBERHARTER. May I ask a question? The CHAIRMAN. Yes, Mr. EBERHARTER. Mr. EBERHARTER. This was an altercation in a cafe?

Commander COLCLOUGH. That is right, sir. Mr. EBERHARTER. Neither one of the participants were on duty in any respect?

Commander COLCLOUGH. No, sir.

Mr. EBERHARTER. It was a private and personal matter between them?

Commander COLCLOUGH. Yes, sir.

Mr. EBERHARTER. And the governments of neither nation were involved in any respect whatsoever?

Commander COLCLOUGH. No, sir. Except insofar as the amenities that are due a visiting ship.

Mr. EBERHARTER. Has it been the practice of the Navy Department to pay indemnities where sailors were not on duty?

Commander COLCLOUGH. I know of no precedent that would allow me to say it was the policy.

They did not tell you that. There is this great authority that they have cited who testified in those hearings a year ago on this very same claim.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I do not yield; the gentleman from Minnesota had plenty of time.

I yield to the gentleman from New York.

Mr. KEATING. Time and again the Navy Department, when American citizens were involved, have told us that we must not pay, that we should not pay, that we cannot pay claims of that kind.

Mr. KEEFE. This, it seems to me, is a case that has been kicking around up in the Committee on Foreign Affairs for over 10 years, ever since it happened, in 1939. It is being brought out here; I do not know why, and we are being asked to pay 750 pounds, or so much in dollars. I do not know why they cannot take it out of that frozen fund money under the Marshall plan and pay this amount if we are so anxious to look after the affairs of the American taxpayers. Why do you not take it out of that fund and pay this man if this is such a clear case? I cannot in good conscience under these circumstances vote to establish a precedent to put upon the people whom I represent a tax to pay a claim of this kind arising under these circumstances.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The question is on the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. KEE) there were—ayes 74, noes 37.

So the amendment was agreed to.

Mr. HALE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALE: On page 1, lines 4 and 5, strike out "pay out of any money in the Treasury not otherwise appropriated" and insert "credit upon any indebtedness due to the United States by the claimant governments."

Mr. KEE. Mr. Chairman, I make the point of order that the amendment is not germane to the purposes and intent of the bill.

The CHAIRMAN. Does the gentleman from Maine [Mr. HALE] desire to be heard?

Mr. HALE. Mr. Chairman, I do not know anything that would be more germane to the bill and I submit I have made a perfect argument.

The CHAIRMAN. The point of order is overruled.

Mr. HALE. Mr. Chairman, I propose this amendment in the most serious way. I think no Member of this House has had so consistent a record as I in voting money for the relief of foreign governments under the Marshall plan, under all sorts of plans, for the rehabilitation of the European economy. I want to be extremely generous to His Majesty's Government in the future. I do not even have any invincible objection to paying His Majesty's Government for this claim which grows out of a private brawl in Seattle.

It does seem to me that no cash should be paid out of the Treasury of the United States when such large sums of money are owed to the Treasury of the United States by the foreign governments in question. There is no question of foreign exchange involved here. His Majesty's Government can certainly pay the claim of Stoker Bailey and I presume the Norwegian Government can take care of the claim of its national. It seems to me this matter should be handled as a bookkeeping transaction only.

Mr. KEE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maine [Mr. HALE].

Mr. Chairman, so far as the argument of the gentleman from Maine is concerned, this bill only deals with one claim. He did not discuss the fact that there are three other claimants included in the pending legislation in addition to the claim of John Bailey. Therefore the gentleman's amendment would affect and destroy the bill insofar as its provisions as to the other claims are concerned.

In any event, Mr. Chairman, the amendment, if adopted, would destroy the bill and would certainly destroy the efforts our State Department and our Government are making to give fair and honest treatment to and to deal justly and honestly with other governments of the world in the matter of just claims.

I have the honest conviction that an amendment like this is so ridiculous on its face that it should be denied all consideration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. HALE].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 53, noes 41.

Mr. KEE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KEE and Mr. HALE.

The Committee again divided; and the tellers reported that there were—ayes 72, noes 71.

The CHAIRMAN. The Chair votes "no," so the vote is a tie and the amendment is rejected.

Mr. JENNINGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENNINGS: On page 2, line 2, after "sum of", strike out "\$3,000 (\$12,097.50)" and insert in lieu thereof "\$5,097.50."

Mr. JENNINGS. Mr. Chairman, this claim is warranted upon the facts, but the amount allowed to the family or to the parents of this deceased seaman of the British Navy is excessive in comparison with what the Congress has habitually allowed during the time I have been a Member for the last 9 years. In other words, as a rule, unless there are some special circumstances, we have allowed to our own nationals in the case of death claims only \$5,000. This last week the House passed a private bill for the relief of the heirs of a citizen in my district who was killed by a CCC truck, and allowed only \$4,185.

Here it is proposed to allow the parents of this British seaman \$12,097.50. There is no evidence that this man had any certain earning capacity. There is no evidence as to what he may have contributed to the support of his parents. It is admitted that the sentries who fired on the sampan on which he was had not been properly instructed or trained, but it was in wartime and there was no malicious intent on their part to kill him. We ought not to establish a precedent and allow the parents of a Britisher \$12,000 for the death of their son, when in many instances the other body has cut us down to \$3,000 for the death of a 21-year-old boy the son of American parents.

In addition to that the President has vetoed measures awarding a recovery by the Congress of the United States for sums much less than \$12,000. Five thousand dollars is ample and that is what we have been allowing in cases like this one. I think we ought to stay in line on that and not be more generous with foreigners than we are with our own people.

Mr. SMITH of Wisconsin. Mr. Chairman, may I inquire—does your amendment cut the amount \$7,000?

Mr. JENNINGS. It cuts it \$7,000, yes; and awards these Britishers \$5,000. Five thousand dollars in American money in Britain today is what I consider a great big recovery. That is what they are talking about now. They want American dollars. I am willing for them to have a recovery, but I am not willing for them to have more than we allow the fathers and mothers of Americans who are killed wrongfully, and for whose death the Government is liable.

Mr. JUDD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, everybody naturally is in sympathy with much of the argument that the gentleman from Tennessee made on this as one could be in sympathy with the arguments made on the previous amendment. But we ought to consider it in terms of the interest of the people of the United States. This will cut two ways. We have claims to collect as well as to pay. For instance: We collected \$150,000 in American dollars from Yugoslavia for the loss of five American boys. That is \$30,000 a man.

Mr. JENNINGS. That was a matter which might have led to war. Do you think a Britisher ought to get more

money from our taxpayers than our people get?

Mr. JUDD. I think he ought to get as much as we collect from foreign countries in similar cases.

Mr. JENNINGS. It is a deplorable thing that you are in that frame of mind.

Mr. JUDD. That is a matter of opinion. Consider also the case of two Mexicans who were killed by a police officer in Oklahoma. The Congress of the United States passed a bill appropriating \$30,000—that is, \$15,000 apiece—for the families of those two boys. And many other cases. There are ample precedents where we have both paid and received in excess of \$5,000. This bill does not establish a precedent; the amendment departs from the precedents. In my judgment, to cut the payment for this individual will hurt more Americans in the future than it will hurt foreigners, because lots more Americans will be going around the world in the future and subject to injury and damages than foreigners are likely to be at the hands of Americans. It seems to me we ought to consider also the dignity of the United States, in amendments like the last one. Especially when the sums are so small, it seems ungracious and unworthy for our country to be rubbing it in that certain other peoples are indebted to us. I am sorry they are in debt to us, from our standpoint, as well as their standpoint. But for us publicly to humiliate them by telling them to credit it on their debt to us, even if we are rich and powerful, seems to me to be rendering a graver disservice to our own country than to them.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. CASE of South Dakota. In the instant case, was there anything in the nature of aggravation such as there was in the Yugoslavian case? Or was this an accident? It seems to me there is a little difference in the circumstances of each case.

Mr. JUDD. This was not just an accident. Our Government admitted that our sentry had acted "without due cause or provocation or circumspection and with a recklessness which implied indifference to the consequences." The Navy Board of Investigation also found that the sentries aboard our ship, one of whom had shot this British subject, had not been "properly instructed, selected, trained, and supervised." It was not just an accident on the part of the American. It was a case of negligence on the part of those responsible for the training of this boy who, acting precipitantly and without any justification, killed the Englishman. It seems to me there are special and unusual circumstances justifying the claim.

Mr. CASE of South Dakota. Without the, let us say, malice, for the lack of a better word, or possible malice which might have precipitated the Yugoslavian shooting?

Mr. JUDD. There is no suggestion there was any malice.

Mr. CASE of South Dakota. There is some governmental responsibility in the Yugoslavia situation. It was a matter of governmental policy.

Mr. JUDD. Yes. And our Government admits there is Government re-

sponsibility in this case. There was negligence on the part of our Government in not properly training these sentries.

Mr. CASE of South Dakota. Not a matter of national policy. There was no national policy on the part of the United States that encouraged any sentries to shoot down any other person.

Mr. JUDD. No. I do not know that there was in the Yugoslav case, either. There is no suggestion that it was national policy for Oklahoma civil officers to be shooting down Mexicans, but one of our officers did shoot two Mexicans, and we paid their families \$15,000 each.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to my friend from Wisconsin.

Mr. SMITH of Wisconsin. Can my distinguished colleague justify the claim with the British pound at four-point something today? In other words, the exchange rate on the pound today most anywhere is much less than that. It seems to me there would be justification for cutting it somewhat.

Mr. JUDD. The official rate is a little over \$4. I agree with the gentleman that the black-market rate on the pound is much less, but I am sure you do not suggest that we put into laws passed by the Congress, black-market rates.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEATING. My question was along that line. Can the gentleman tell us whether, if this claim is left as it is, it will be paid by the transfer of dollars or by the purchase of pounds and the transfer of those pounds to the foreign government?

Mr. JUDD. I am not in a position to answer that definitely. That question did not come up, because this was reported out some time ago, and the pound was in better shape at that time. My judgment is that it would be paid in dollars, because the amount in dollars is mentioned in the bill, and that is the currency of the United States.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. JUDD] has expired.

Mr. STEFAN. Mr. Chairman, I ask that the gentleman's time be extended for 2 minutes in order to answer a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. STEFAN. May I ask the gentleman from Minnesota if it is not possible for the British to give us credit on lend-lease surplus to pay this claim. They are doing that in the matter of purchasing property in the United Kingdom. Has the gentleman given any thought to that?

Mr. JUDD. That was the issue that was involved in the amendment offered by the gentleman from Maine, which was just voted down.

Mr. STEFAN. Well, we are doing that right along with countries that owe us on lend-lease.

Mr. JUDD. I see no reason why our Government should not—in fact, I

think it ought to investigate the possibilities in that respect. I know that when we are purchasing property, for example, for our embassy staff or our ECA mission in England to live in, it is paid for by them out of moneys that they owe us.

Mr. STEFAN. They purchase it for us, or we purchase it, and they pay for it in pounds.

Mr. JUDD. That is right.

Mr. STEFAN. Whatever government we are dealing with. In that way we pay no actual American dollars, and that is the only way we can get anything back.

Mr. JUDD. As the gentleman knows, those arrangements were made when we agreed on final settlements on the lend-lease accounts. I do not know whether this claim could be blanketed in, ex post facto, or not.

Mr. STEFAN. Undoubtedly this bill will be passed. I suggest that the gentleman suggest to the State Department that when they make settlement they make some arrangement to take credit under lend-lease payments.

Mr. JUDD. I think the suggestion is good, and the State Department will be asked to explore the possibility of making payment in the way the gentleman has suggested.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. GROSS. Does not the gentleman think that the settlement in the Oklahoma cases was high?

Mr. JUDD. Apparently the United States Congress did not think so. It passed the bill to pay the amounts. There are half a dozen other claims of the same sort, ranging from \$7,500 up to \$15,000, that we have either paid or received. One from the British to an American who was injured in Bermuda, where the British paid \$26,000, and the man was not killed. They did not even wait for a claim to be filed.

I hope the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. SMATHERS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, here is a case very much in point, although the facts are reversed from the one we are now considering. It seems that a British sentry in 1915 fired on an American that he thought had gone into a prohibited area, and killed him. The British Government, even before we made any representation to them whatsoever, paid that man's family \$26,000.

In another case a Canadian border guard shot some American duck hunters in an international water zone. The British Government again without ever being prompted by the formal presentation of a claim paid \$15,000 in each death to the surviving relatives. As the gentleman from Minnesota has so ably pointed out, this amendment is a two-edged sword; if we start cutting here, saying that we are going to save money, actually we are going to cost our citizens who travel a good deal of protection and much money in the future.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SMATHERS. I yield.

Mr. CASE of South Dakota. Might it not be that we would be saving money in the long run?

Mr. SMATHERS. If we had more people traveling to this country than there were of our own citizens going abroad that might be so, but the evidence indicates that it is not apt to be the case.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. JENNINGS].

The question was taken; and on a division (demanded by Mr. JENNINGS) there were—ayes 39, noes 66.

So the amendment was rejected.

Mr. HALE. Mr. Chairman, I move to strike out the last word. I do this for the purpose of asking the distinguished chairman of the Committee on Foreign Affairs with respect to the French seaport mentioned on page 2, line 13. The French seaport referred to is described as "Sete." Can the gentleman tell me where that seaport is?

Mr. KEE. I am not very familiar with the geography of that section of the world, but I understand it is on the shores of Mediterranean France.

Mr. HALE. I very respectfully suggest to the distinguished chairman of the Committee on Foreign Affairs that there is no such port as "Sete" on the French Mediterranean coast. There is a seaport on that coast, the well-known port of "Cette," lying near the mouth of the River Rhone. If I am correct about this, it is indicative of the want of thorough consideration, which it seems to me that the bill has received at the hands of the committee.

Mr. VURSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there has been considerable speculation as to when this Congress ought to adjourn. After listening to the debate here and finding that it has taken us almost half a day to give away approximately \$23,000, may I facetiously say I am convinced that Congress has become impotent and that nothing much more can be expected of this Congress. I respectfully submit it is about time Congress should adjourn. The American people would be much better off if we did.

I am, however, against giving the \$23,000 listed in this bill. There has been too many billions given away already. Yes, if Congress would cut appropriations it has already approved 10 percent, and go home now, we would get a better reception from our people than if we wait until a later date.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 937) to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States, pursuant to House Resolution 221, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. KEATING) there were—ayes 64, noes 68.

Mr. SMITH of Wisconsin. Mr. Speaker, I object to the vote on the ground a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be dispensed with until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. SMITH of Wisconsin. Mr. Speaker, I object.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 167, noes 143, not voting 122, as follows:

[Roll No. 125]

YEAS—167

Abernethy	Frazier	Monroney
Allen, Calif.	Gamble	Murray, Tenn.
Allen, Ill.	Gathings	Nelson
Allen, La.	Gavin	Nicholson
Andersen,	Gillette	Norblad
H. Carl	Golden	Norrell
Anderson, Calif.	Goodwin	O'Brien, Mich.
Andresen,	Gore	O'Hara, Minn.
August H.	Gossett	O'Konski
Andrews	Graham	Patten
Angell	Gross	Phillips, Calif.
Auchincloss	Hale	Potter
Barrett, Wyo.	Hall	Poulson
Bates, Mass.	Leonard W.	Preston
Beall	Harden	Rankin
Beckworth	Hare	Redden
Bennett, Mich.	Harris	Reed, Ill.
Bishop	Harvey	Reed, N. Y.
Boggs, Del.	Herter	Rees
Bonner	Heseltun	Rivers
Bosone	Hill	Rogers, Fla.
Bramblett	Hinshaw	Sanborn
Brehm	Hoffman, Ill.	Scott
Brooks	Hoffman, Mich.	Hugh D., Jr.
Brown, Ohio	Holmes	Scrivner
Bryson	Hope	Scudder
Burdick	Horan	Short
Carlyle	Hull	Simpson, Ill.
Case, S. Dak.	Jacobs	Simpson, Pa.
Chelf	James	Smith, Kans.
Chipherfield	Jenison	Smith, Ohio
Church	Jenkins	Smith, Va.
Cole, N. Y.	Jennings	Smith, Wis.
Colmer	Jensen	Stefan
Cooley	Johnson	Stockman
Cooper	Jonas	Sutton
Cotton	Kean	Tackett
Cox	Kearney	Talle
Crawford	Keating	Teague
Cunningham	Keefe	Tollerson
Curtis	Lanham	Towe
Dague	Larcade	Van Zandt
Davis, Ga.	LeCompte	Vursell
Davis, Tenn.	LeFevre	Werdell
Davis, Wis.	Leinke	Wheeler
Denton	Lovre	Whitten
D'Ewart	Lucas	Whittington
Dolliver	McCulloch	Wigglesworth
Doughton	McDonough	Williams
Ellsworth	McKinnon	Wilson, Tex.
Engel, Mich.	Macy	Winstead
Engle, Calif.	Martin, Iowa	Withrow
Evins	Martin, Mass.	Wolcott
Fellows	Mason	Wolverton
Fenton	Meyer	Wood
Fisher	Michener	Woodruff
Ford	Mills	Young

NAYS—143

Albert	Breen	Davenport
Aspinall	Brown, Ga.	Dawson
Bailey	Buchanan	Deane
Barden	Buckley, Ill.	DeGraffenried
Baring	Burleson	Douglas
Bates, Ky.	Camp	Doyle
Battle	Cannon	Durham
Bennett, Fla.	Carnahan	Eaton
Bentsen	Carroll	Eberharter
Blemiller	Case, N. J.	Elliot
Boggs, La.	Chesney	Fallon
Bolling	Combs	Felghan
Bolton, Md.	Crook	Fernandez
Bolton, Ohio	Crosser	Flood

Forand	McCormack	Regan
Fugate	McGuire	Rhodes
Gordon	McMillan, S. C.	Rodino
Gorski, Ill.	McSweeney	Rogers, Mass.
Granger	Mack, Ill.	Rooney
Grant	Madden	Sabath
Hagen	Magee	Secrest
Hardy	Mahon	Sikes
Hart	Mansfield	Sims
Hays, Ohio	Marsalis	Smathers
Hedrick	Marshall	Spence
Herlong	Miles	Staggers
Hobbs	Morgan	Stanley
Hollfield	Morris	Steed
Howell	Moulder	Sullivan
Huber	Multer	Thomas, Tex.
Jackson, Calif.	Murdock	Thompson
Jones, Ala.	Noland	Thornberry
Jones, Mo.	Norton	Trimble
Jones, N. C.	O'Brien, Ill.	Underwood
Judd	O'Hara, Ill.	Vinson
Karst	O'Neill	Wagner
Karsten	O'Sullivan	Walter
Kee	Pace	Welch, Mo.
Kerr	Passman	White, Calif.
King	Patman	White, Idaho
Kirwan	Perkins	Wickersham
Kruse	Peterson	Wier
Lesinski	Poage	Willis
Lind	Polk	Wilson, Okla.
Linehan	Price	Worley
Lyle	Priest	Yates
Lynch	Rabaut	Zablocki
McCarthy	Ramsay	

NOT VOTING—122

Abbitt	Gregory	Murray, Wis.
Addonizio	Gwinn	Nixon
Arends	Hall	O'Toole
Barrett, Pa.	Edwin Arthur	Patterson
Blackney	Halleck	Pfeifer
Bland	Hand	Joseph L.
Blatnik	Harrison	Pfeiffer
Boykin	Havener	William L.
Buckley, N. Y.	Hays, Ark.	Philbin
Bulwinkle	Hébert	Phillips, Tenn.
Burke	Heffernan	Pickett
Burnside	Heller	Plumley
Burton	Hoeven	Powell
Byrne, N. Y.	Irving	Quinn
Byrnes, Wis.	Jackson, Wash.	Rains
Canfield	Javits	Ribicoff
Cavalcante	Kearns	Rich
Celler	Kelley	Richards
Chatham	Kennedy	Riehlman
Christopher	Keogh	Roosevelt
Chudoff	Kilburn	Sadlak
Clemente	Kilday	Sadowski
Clevenger	Klein	St. George
Cole, Kans.	Kunkel	Sasser
Corbett	Lane	Scott, Hardie
Coudert	Latham	Shafer
Davies, N. Y.	Lichtenwalter	Sheppard
Delaney	Lodge	Stigler
Dingell	McConnell	Taber
Dollinger	McGrath	Tauriello
Dondero	McGregor	Taylor
Donohue	McMillen, Ill.	Thomas, N. J.
Elston	Mack, Wash.	Velde
Fogarty	Marcantonio	Vorys
Fulton	Marrow	Wadsworth
Furcolo	Miller, Calif.	Walsh
Garmatz	Miller, Md.	Welch
Gary	Miller, Nebr.	Welch, Calif.
Gilmer	Mitchell	Whitaker
Gorski, N. Y.	Morrison	Wilson, Ind.
Granahan	Morton	Woodhouse
Green	Murphy	

So the amendment was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Roosevelt with Mr. Halleck.
Mr. Murphy with Mr. Arends.
Mr. Gilmer with Mr. Canfield.
Mr. Morrison with Mr. Hand.
Mrs. Woodhouse with Mr. Corbett.
Mr. Kelley with Mr. Elston.
Mr. Furcolo with Mr. Hoeven.
Mr. Garmatz with Mr. Kearns.
Mr. Pickett with Mr. Lichtenwalter.
Mr. Whitaker with Mr. McConnell.
Mr. Gary with Mr. McGregor.
Mr. Rains with Mr. Miller of Maryland.
Mr. Mitchell with Mr. William L. Pfeiffer.
Mr. Lane with Mr. Rich.
Mr. Donohue with Mr. Hardie Scott.
Mr. McGrath with Mrs. St. George.
Mr. Fogarty with Mr. Taber.
Mr. Tauriello with Mr. Vorys.
Mr. Gorski of New York with Mr. Clevenger.
Mr. Harrison with Mr. Miller of Nebraska.

Mr. Barrett of Pennsylvania with Mr. Welch.
Mr. Green with Mr. Taylor.
Mr. Granahan with Mr. Morton.
Mr. Stigler with Mr. Gwinn.
Mr. Kilday with Mr. Coudert.
Mr. Jackson of Washington with Mr. Blackney.

Mr. Hays of Arkansas with Mr. McMillen of Illinois.

Mr. Richards with Mr. Nixon.
Mr. Ribicoff with Mr. Plumley.
Mr. Sadowski with Mr. Riehlman.
Mr. Davies of New York with Mr. Sadlak.
Mr. Miller of California with Mr. Shafer.
Mr. Sasscer with Mr. Velde.
Mr. Chudoff with Mr. Wadsworth.
Mr. Chatham with Mr. Edwin Arthur Hall.
Mr. Byrne of New York with Mr. Fulton.
Mr. Addonizio with Mr. Dondero.
Mr. Cavalcante with Mr. Cole of Kansas.
Mr. Gregory with Mr. Latham.
Mr. Philbin with Mr. Merrow.
Mr. Walsh with Mr. Mack of Washington.
Mr. Burton with Mr. Patterson.
Mr. Abbutt with Mr. Welch of California.
Mr. Irving with Mr. Wilson of Indiana.
Mr. Sheppard with Mr. Byrnes of Wisconsin.

Mr. Hébert with Mr. Phillips of Tennessee.

Mr. FEIGHAN, Mr. CANNON, and Mr. WHITE of Idaho changed their vote from "aye" to "no."

Mr. BROWN of Ohio changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HALE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HALE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HALE moves to recommit the bill to the Committee on Foreign Affairs.

Mr. KEE. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. CRAWFORD asked and was given permission to address the House on Wednesday next for 5 minutes after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

EXTENSION OF REMARKS

Mr. POTTER asked and was given permission to extend his remarks in the Appendix of the Record.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the Record.

Mr. STOCKMAN asked and was given permission to extend his remarks in the Record and include an article.

Mr. SIMPSON of Illinois asked and was given permission to extend his remarks in the Record and include an article.

Mr. CHESNEY asked and was given permission to extend his remarks in the Record and include a newspaper article.

Mr. LYNCH (at the request of Mr. PRIEST) was given permission to extend his remarks in the Record and include a radio address.

Mr. BOYKIN (at the request of Mr. HARE) was given permission to extend his remarks in the Appendix of the Record.

DISTRICT COURT FOR THE TERRITORY OF ALASKA

Mr. BRYSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 53.

The Clerk read the Senate Concurrent Resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 70) to make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States, to make the following change, namely: In lieu of the language inserted by the House engrossed amendment, insert the following:

"Sec. 2. The first paragraph of section 2072 of title 28, United States Code, is amended to read as follows:

"The Supreme Court shall have the power to prescribe, by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure of the district courts of the United States and of the District Court for the Territory of Alaska in civil actions."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand that this matter has the consent of the ranking minority Member?

Mr. BRYSON. Yes, and there is no controversy.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. McCULLOCH (at the request of Mr. McCULLOCH), indefinitely, on account of illness.

ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 623. An act for the relief of Sadako Takagi; and

H. R. 3127. An act to authorize the admission into the United States of Jacob Gross, a minor.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1042. An act relating to the payment of fees, expenses, and costs of jurors; and

S. 1070. An act to establish a national housing objective and the policy to be followed in the attainment thereof, to provide

Federal aid to assist slum-clearance projects and low-rent public housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes.

ADJOURNMENT

Mr. MANSFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 12, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

750. A letter from the president, Chamber of Deputies, Santiago, Chile, transmitting a message extending their most cordial congratulations to the great friendly Nation of the United States upon the occasion of her glorious anniversary, Independence Day, July 4; to the Committee on Foreign Affairs.

751. A letter from the Secretary of Defense, transmitting a letter by the Acting Secretary of the Navy recommending the enactment of a proposed draft of legislation entitled "To amend section 302 of the Servicemen's Readjustment Act of 1944, as amended"; to the Committee on Veterans' Affairs.

752. A letter from the Acting Administrator, Federal Security Agency, transmitting a legislative proposal entitled "To assure the provision of all necessary services to prepare disabled persons for and establish them in remunerative employment, to provide for grants-in-aid to the States for adjustment training services for the blind, and for establishing employment opportunities for the severely disabled, to amend the Vocational Rehabilitation Act, as amended (U. S. C., 1946 ed., title 29, ch. 4), to amend the Randolph-Sheppard Act (U. S. C., 1946 ed., title 20, ch. 6A), and for other purposes"; to the Committee on Education and Labor.

753. A letter from the Acting Secretary of the Navy, transmitting a request by the Game and Inland Fish Commission of the State of Maryland for the transfer of an aluminum pontoon barge to be used by that commission in wild waterfowl restoration work along the Potomac River; to the Committee on Armed Services.

754. A letter from the Acting Secretary of the Interior, transmitting a copy of a volume of the 1949 Regular Session Laws of Puerto Rico, containing the acts of the Seventeenth Legislature of Puerto Rico, February 14 to April 15, 1949; to the Committee on Public Lands.

755. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Savings and Loan Insurance Corporation for the fiscal year ended June 30, 1948 (H. Doc. No. 251); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

756. A letter from the Comptroller General of the United States, transmitting a special report on construction-differential subsidies and related national-defense allowances granted by the United States Maritime Commission; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COX: Committee on Rules. House Resolution 278. Resolution providing for the

consideration of the bill (H. R. 5187) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs; without amendment (Rept. No. 1007). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 279. Resolution providing for the consideration of the bill (H. R. 940) to authorize public improvements in Alaska, and for other purposes; without amendment (Rept. No. 1008). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. H. R. 5533. A bill to amend the National Housing Act, as amended, and the Reconstruction Finance Corporation Act, as amended; with an amendment (Rept. No. 1009). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTLE:

H. R. 5567. A bill to provide for research in child life and for grants to States for maternal and child health and crippled children's services; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEMENTE:

H. R. 5568. A bill to amend the Social Security Act, as amended, to provide lump-sum payments upon the death of certain individuals who are neither fully nor currently insured, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVENPORT:

H. R. 5569. A bill to amend the Service-men's Readjustment Act of 1944 to extend the period during which readjustment allowances may be paid; to the Committee on Veterans' Affairs.

By Mr. DEWART:

H. R. 5570. A bill to promote the rehabilitation of the Chippewa Cree Tribe of Indians of the Rocky Boy's Reservation, Mont., and for other purposes; to the Committee on Public Lands.

By Mr. LESINSKI:

H. R. 5571. A bill to amend the act approved July 18, 1940 (54 Stat. 766; 24 U. S. C., 1946 ed., sec. 196b), entitled "An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States," by enlarging the classes of persons admissible into St. Elizabeths Hospital and in other respects; to the Committee on Education and Labor.

By Mr. PETERSON:

H. R. 5572. A bill to liberalize pensions for certain veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Veterans' Affairs.

H. R. 5573. A bill providing for a preliminary examination and survey for a barge channel from Tampa Bay to the vicinity of Booth Point, together with the necessary turning basin; to the Committee on Public Works.

By Mr. RANKIN (by request):

H. R. 5574. A bill to amend further the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

By Mr. SASSER:

H. R. 5575. A bill to amend the act entitled "An act to authorize an increase of the number of cadets at the United States Military Academy and to provide for maintaining the corps of cadets at authorized strength," approved June 3, 1942 (56 Stat. 306); to the Committee on Armed Services.

H. R. 5576. A bill to increase the number of midshipmen allowed at the United States Naval Academy from the District of Columbia; to the Committee on Armed Services.

By Mr. LESINSKI:

H. R. 5577. A bill to assure the provision of all necessary services to prepare disabled persons for and establish them in remunerative employment, to provide for grants-in-aid to the States for adjustment training services for the blind, and for establishing employment opportunities for the severely disabled, to amend the Vocational Rehabilitation Act, as amended (U. S. C., 1946 ed., title 29, ch. 4), to amend the Randolph-Sheppard Act (U. S. C., 1946 ed., title 20, ch. 6A), and for other purposes; to the Committee on Education and Labor.

By Mr. HARRIS (by request):

H. R. 5578. A bill to amend the act entitled "An act to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes," approved December 20, 1944; to the Committee on the District of Columbia.

By Mr. WERDEL:

H. J. Res. 296. Joint resolution to appoint a board of engineers to examine and report upon the proposed central Arizona project; to the Committee on Public Lands.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California relative to Senate Joint Resolutions Nos. 26, 30, and 35; (1) Requesting Congress to refuse passage of H. R. 2394, creating a Franklin Delano Roosevelt Memorial Redwood Forest; (2) relative to the Spanish-Mexican land-grant papers; (3) relative to accepting permit from the Government of the United States for the transfer of lands for the use of the Golden Gate Bridge and highway district; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5579. A bill conferring jurisdiction on the Court of Claims of the United States to hear, determine, and render judgment on the claims of G. T. Elliott, Inc., and M. F. Quinn; to the Committee on the Judiciary.

By Mrs. BOLTON of Ohio:

H. R. 5580. A bill for the relief of Mrs. Tsuneko Shimokawa Guenther; to the Committee on the Judiciary.

By Mr. CARROLL:

H. R. 5581. A bill for the relief of Deborah Elizabeth Ebel; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 5582. A bill for the relief of the Belle Isle Cab Co., Inc.; to the Committee on the Judiciary.

By Mr. HART:

H. R. 5583. A bill for the relief of Carlos Maria Ribeiro; to the Committee on the Judiciary.

By Mr. JENKINS:

H. R. 5584. A bill to require delivery and return of property of the estate of John F. Hackfeld, deceased, seized by the Alien Property Custodian, and to confirm the original restoration thereof by the President; to the Committee on the Judiciary.

H. R. 5585. A bill to repay income and estate taxes to the estate of John F. Hackfeld, deceased, erroneously collected on basis of American citizenship subsequently determined by Supreme Court not to have been acquired by taxpayer; to the Committee on the Judiciary.

By Mr. SANBORN:

H. R. 5586. A bill for the relief of Marco Murolo, and his wife, Romana Pellis Murolo; to the Committee on the Judiciary.

By Mr. SIMS:

H. R. 5587. A bill for the relief of Mrs. Lydia L. Smith; to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H. R. 5588. A bill for the relief of Peter W. Anderson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause I of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1276. By Mr. JUDD: Petition of Mrs. Pearl St. John and others, Minneapolis, Minn., in support of the Bryson bill, H. R. 2428, and a Senate counterpart of that measure; to the Committee on Interstate and Foreign Commerce.

1277. By Mr. LYNCH: Petition of the Ancient Order of Hibernians of America urging amendment of article 4 of the Atlantic Pact; to the Committee on Foreign Affairs.

1278. By the SPEAKER: Petition of D. Ellsworth and others, Mentone, Ind., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1279. Also, petition of Mrs. J. H. Griggs and others, Sunbury, Pa., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1280. Also, petition of T. F. Woolley and others, Temple, Tex., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1281. Also, petition of Howard W. Elkins and others, Miami, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

TUESDAY, JULY 12, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met, in executive session, at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who are the guiding intelligence in the life of men and nations, we pray that in our search for the right solution to our national and international problems we may daily direct our minds and hearts toward Thee from whom cometh our help.

We are confident that in our longings and efforts to find the blessedness of world peace Thou art not calling upon us to seek and accept peace at any price.

We believe, however, that we are divinely commissioned to strive for righteousness and justice, whatever the cost may be to achieve those noble ends.

Inspire us with the glory and splendor of an idealism which knows and proclaims that, "Tis man's perdition to be safe when for the truth he ought to die."

Hear us in Christ's name. Amen.

THE JOURNAL

On request of Mr. Lucas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 11, 1949, was dispensed with.